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To cite this article: Philip Swenson (2021): Equal Moral Opportunity: A Solution to the Problem of Moral Luck, Australasian Journal of Philosophy, DOI: [10.1080/00048402.2021.1901751](https://doi.org/10.1080/00048402.2021.1901751)

To link to this article: <https://doi.org/10.1080/00048402.2021.1901751>



Published online: 28 Jun 2021.



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# Equal Moral Opportunity: A Solution to the Problem of Moral Luck

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## ABSTRACT

Many of our common-sense moral judgments seemingly imply the existence of moral luck. I attempt to avoid moral luck while retaining most of these judgments. I defend a view on which agents have *moral equality of opportunity*. This allows us to account for our anti-moral-luck intuitions at less cost than has been previously recognized.

**ARTICLE HISTORY** Received 7 May 2020; Revised 21 December 2020

**KEYWORDS** moral luck; moral responsibility; equal opportunity

## 1. The Problem of Moral Luck

Moral luck is, roughly, the varying of one's degree of praise or blameworthiness due to factors beyond one's control.<sup>1</sup> Many of us have an inkling that there is something wrong with moral luck. However, rejecting moral luck appears to require extreme revision of our everyday judgments about who deserves praise or blame. Thus, many still accept the existence of moral luck. I aim to develop a view that (i) captures our anti-moral-luck intuitions but (ii) requires much less revision of everyday moral judgments than do previous attempts to reject moral luck. My approach appeals to a sort of *moral equality of opportunity*. I claim that every possible situation in which one could choose has (so far as praise and blame are concerned) the same expected value. On my view, everyone, regardless of life circumstances, has an initial expected desert level of 0. Because of this, everyone has equally good prospects when it comes to praise and blame. This allows us to account for our anti-moral-luck intuitions while preserving much of common-sense morality.

Thomas Nagel [1979] drew attention to several types of moral luck. Consider, first, this case:

**Resultant Luck Case.** Alice and Bill take walks along a riverbank. Each of them encounters a drowning child and attempts a rescue. They make the same choices and attempt the same actions. Alice's rescue succeeds, but a sudden current prevents Bill from succeeding.

If we say that Alice is more praiseworthy than Bill, it looks as though we accept *resultant moral luck*. Alice has good luck in what results from her attempt, and is thus worthy of more praise. This seems unfair. Factors outside their (respective instances

<sup>1</sup> This is just an initial characterization, not a final analysis, of moral luck.

of) control made the difference between Alice and Bill. Intuitively, such factors should not affect their respective degrees of praiseworthiness.

Many of us have made peace with rejecting resultant luck. (When I use terms like ‘resultant luck’, ‘circumstantial luck’, etc., I mean resultant *moral* luck, circumstantial *moral* luck, etc.) Alice and Bill are clearly both praiseworthy. And perhaps it isn’t too revisionist to say that they are equally praiseworthy. Perhaps it is even intuitive. However, rejecting other sorts of moral luck poses greater difficulties. Consider now this case:

**Circumstantial Luck Case.** Alice takes walk along a riverbank, and encounters a drowning child. She rescues the child. On a separate occasion, Claire takes a walk along a riverbank. She does not encounter a drowning child. If Claire had encountered a drowning child, she would (or at least would probably) have rescued the child.

If we say that Alice is more praiseworthy than Claire, we appear to accept *circumstantial moral luck*. Alice had the good luck to happen upon the drowning child, and as a result she makes a praiseworthy choice. Claire would have earned the same degree of praise, had she been lucky enough to spot a drowning child. (If your anti-luck intuitions need more prompting here, imagine instead that Alice refused to rescue the child, and that Claire would also have refused, had she had the opportunity. Doesn’t it seem that there is something unfair about blaming Alice more than Claire?)

Perhaps you object to the claim that Claire would have rescued the child. Maybe you think that there are no facts about what free agents would do in hypothetical circumstances. I don’t think that such views avoid the problem of circumstantial luck. So long as you grant that Claire would very probably have rescued the child, a problem remains. Suppose that each of Alice and Claire is 90% likely to rescue a drowning child, should they encounter one. As a result of factors beyond (in each case) their control, Alice is much more likely than Claire to earn praise. Claire might reasonably think it unfair that she did not have a chance to rescue the child and to earn as much praise as Alice does.<sup>2</sup>

Rejecting *circumstantial luck* appears to require very significant revision to everyday moral judgments. Consider the plausible claim that a great many people all over the world are not so different from those who did not object to the rise of the Nazis. Many people would (or very probably would) have done similar things under similar circumstances. If we accept this and we reject *circumstantial luck*, then it looks as though some radical claim will follow.

One option is to endorse *responsibility scepticism*, and to deny that anyone is ever praiseworthy or blameworthy at all. This secures the result that Alice and Claire have equal levels of praiseworthiness, but at the cost of rejecting the common-sense judgment that some agents are blameworthy. For many, this cost will be too high.

Another option is to endorse *responsibility explosion* and to say that people are praiseworthy or blameworthy in virtue of what they would have done in various circumstances which they never faced.<sup>3</sup> Claire is just as praiseworthy as Alice because she would have rescued the child. (Or, alternatively, she is almost as praiseworthy as Alice because she would probably have rescued the child.) This account yields the result that many people are highly blameworthy in virtue of what they would have

<sup>2</sup> See Zimmerman [2002] for additional discussion of these issues.

<sup>3</sup> This option is endorsed by Zimmerman [2002] and Enoch and Marmor [2007]. See Richards [1986] for a similar view.

done if they had lived in Germany during the rise of the Nazis. Furthermore, most of us are both enormously praiseworthy and enormously blameworthy in virtue of what we would have done in numerous circumstances that we never faced.<sup>4</sup> The actual choices that we make will contribute comparatively little to our overall levels of praiseworthiness and blameworthiness. Clearly, this is a radical departure from common sense.

Avoiding a third sort of luck appears to have similar costs. Consider this case:

**Constitutive Luck Case.** Alice takes a walk along a riverbank and encounters a drowning child. She rescues the child. On a separate occasion, Daniel takes a walk along a riverbank and also encounters a drowning child. Because Daniel is (through no previous fault of his own) cruel and uncaring, he refrains from rescuing the child. However, if he had possessed Alice's naturally caring disposition, he would (or at least would probably) have rescued the child.

If we say that Alice is more praiseworthy (and less blameworthy) than Daniel, we appear to accept *constitutive moral luck*. Alice had the good luck to be constituted in such a way that she would save the child. Daniel had corresponding bad luck. In order to avoid *constitutive luck*, we could endorse *responsibility scepticism*. Or, alternatively, we could endorse an extreme version of *responsibility explosion*, and say that Alice is blameworthy in virtue of what she would have done, had she possessed Daniel's character.

Given these unpalatable options, one could be forgiven for thinking that we should just accept the existence of moral luck, despite its apparent unfairness. But perhaps there is a better approach.

## 2. A Solution

What is it about, say, circumstantial moral luck that makes it seem unfair? One answer is that it is *just unfair* if A is blameworthy for an act when others would (or probably would) have done the same under the same circumstances. But this doesn't seem to get to the heart of the matter. Why does this bother us?

Perhaps we can learn from a case that lacks apparent unfairness. Suppose that A is in a position where she is very likely to steal a bicycle. (It's not that she would steal; it's just that she would probably steal.) And suppose that B is in a position where she is equally likely to steal a phone. If their situations were reversed, B would be very likely to steal the bicycle and vice versa. And suppose that stealing the bicycle and stealing the phone are equally bad. As it happens, A resists temptation and refrains from stealing. But B steals. It does not seem unfair that B alone is blameworthy, despite the fact that A would very probably have done the same in B's circumstances. I suggest that it is because A and B faced equally difficult challenges. Neither of them was given an unfair advantage over the other. They had (for all that I have said) equal moral opportunity.

It is plausible that agents can be in significantly different circumstances that are nonetheless equally valuable. Suppose that Esther possesses a lottery ticket that has a 50% chance of winning \$20, while Franklin possesses a lottery ticket that has a 10% chance of winning \$100. Assuming that they both value each potential dollar equally, it looks as though, before the winning tickets are drawn, their circumstances

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<sup>4</sup> Hartman [2017] argues that, on this approach, we would be both infinitely praiseworthy and infinitely blameworthy.

are equally good. They both have expected winnings of \$10. It is thus plausible that neither of them can complain that their situation is (comparatively) unfair.

The possibility of distinct but equally valuable circumstances underlies my approach to moral luck. My proposal is that every possible circumstance in which one could choose is (so far as praise and blame are concerned) equally valuable. This is because *the expected desert level that an agent has in virtue of being in a particular choice circumstance is always 0*. This will allow us to say that no agent has good or bad circumstantial or constitutive luck. I will call this proposal *the Egalitarian Solution*.

Consider our **Circumstantial Luck Case**. Suppose that we add to the story that the objective probability of Alice's deciding to save the child was 90%. Furthermore, Alice gained desert level +10 (or 10 units of deserved praise) for rescuing the child, but, had she refrained from rescuing the child, she would have instead deserved -90 (or 90 units of deserved blame). Alice's expected desert level, before she makes her choice, is 0. Claire, who faces no morally significant choice, also has an expected desert level of 0.

Given all of this, I find it plausible that Claire cannot complain that she has had bad moral luck. Yes, Alice had an opportunity to earn praise, an opportunity that Claire lacked. But Alice also ran a terrible risk, a risk of being blameworthy for a monstrous choice, that Claire avoided.<sup>5</sup> The difference between Alice's and Claire's levels of desert is accounted for entirely by Alice's decision. Her initial circumstances gave her no unfair advantage over Claire.<sup>6</sup>

I suggest that our anti-moral-luck intuitions can be captured by the following principle:

*Comparative Anti-Moral-Luck Principle.* The expected desert levels of two agents do not (at any time) differ due to anything other than one (or both) of them exercising free agency in a way that the other does not.<sup>7</sup>

Alice's desert level differs from Claire's only because she exercised her agency in a way that Claire did not. Claire lacked the opportunity to exercise her agency in the way that Alice did. But lacking that opportunity did not give her a lower expected desert level than Alice's. Only Alice's choice accounts for the asymmetry between them.

<sup>5</sup> One might object to the claim that she ran a risk, since matters were settled by her own agency. I would regard taking a bet that involves my being tortured if I ever exercise my agency badly as extremely risky. So, I am not persuaded. But those who don't think that she literally ran a 'risk' could substitute 'encountered a disadvantageous propensity in the world' for 'ran a terrible risk'.

<sup>6</sup> An approach along these lines has previously been suggested by Crisp [2017: 17]:

A harder choice may be more praiseworthy, so to this extent the circumstantial bad moral luck of the man who stayed in [Nazi] Germany was counterbalanced by the greater moral opportunities available to him. And as it becomes more difficult to make the correct choice, so it becomes a lesser wrong [and the agent less blameworthy] not to make it.

Crisp rightly suggests that this thought could allow one to defend a sort of equality of opportunity. I aim to lay out a precise view along the lines of Crisp's suggestion that really does achieve full equal moral opportunity, and to thoroughly investigate the plausibility of that view. I suspect that Crisp would be sympathetic to my approach. But it's unclear to me whether he would accept the strong claim about equal expected desert levels which my Egalitarian Solution endorses.

<sup>7</sup> A difference is 'due to' (in my sense) the agents exercising free agency, and nothing else, if (i) you cannot fully explain the two expected desert levels differing in precisely the way that they do without appealing to an exercise of free agency by at least one of the agents. And (ii) the set of all of the agents' exercisings of free agency entails, given the moral facts, the exact difference between them.

Now, if Alice (or any other agent) had a positive expected desert level prior to making any choices, then we would have a violation of the *Comparative Anti-Moral-Luck Principle* (given that Claire's expected desert level is still 0). So, the *Comparative Anti-Moral-Luck Principle* leads to this principle:

*Non-Comparative Anti-Moral-Luck Principle.* No agent (at any time) possesses a positive or negative expected desert level due to anything other than their exercising free agency.<sup>8</sup>

I do not take a stance here on whether it is the *Non-Comparative Anti-Moral-Luck Principle* or the *Comparative Anti-Moral-Luck Principle* that is the more fundamental. Perhaps the ultimate concern is for comparative fairness or vice versa.

It follows from the *Non-Comparative Anti-Moral-Luck Principle* that all agents have, prior to ever exercising their agency, an expected desert level of 0. This might strike you as mysterious. Why should every possible initial circumstance leave an agent with an expected desert level of 0? The answer is that the *Non-Comparative Anti-Moral-Luck Principle* is a moral principle that constrains the distribution of 'desert points' to an agent's options. If +10 desert is assigned to Alice's rescuing the child, then (given her 90% probability of doing so) -90 desert must be assigned to her refraining from rescuing the child.

Why should you believe that the *Non-Comparative Anti-Moral-Luck Principle* is a genuine moral principle? First, it is motivated by the simple thought that morality distributes desert fairly, and thus only gives out advantages or disadvantages based on free choices by agents. The moral playing field is neutral until agency comes into play. The deck is not stacked for or against anyone. This sort of thought lies behind our anti-moral-luck intuitions, and it is nicely captured by the *Non-Comparative Anti-Moral-Luck Principle*. Any departure from the *Non-Comparative Anti-Moral-Luck Principle* will result in an intuitively unfair distribution of moral opportunities.<sup>9</sup>

But the main reason to accept that the *Non-Comparative Anti-Moral-Luck Principle*, which I hope to convince you of before the end of this paper, is that accepting it provides the best way of avoiding the existence of moral luck. By accepting it, we can capture our anti-moral-luck intuitions at far less cost than we previously realized was possible.

So, we can avoid circumstantial luck by claiming that there is no advantage to being in one choice circumstance rather than another. The same approach works for constitutive luck. In our **Constitutive Luck Case**, Alice has no unfair advantage over Daniel, because both Alice's virtuous character and Daniel's vicious character yield an expected desert level of 0. Given Daniel's character, he was much more likely to refrain from rescuing the child. So, given the *Comparative Anti-Moral-Luck Principle*, he must either be less blameworthy than Alice if he fails to rescue, more praiseworthy if he does rescue, or both. The Egalitarian Solution thus relies on the view that agents who must overcome their own bad character traits get moral credit for this. I will discuss this view in section 3.

Now, since both Daniel and Alice had an expected desert level of 0, I do not think that Daniel has suffered bad moral luck. Let's suppose that he earned only -10 desert,

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<sup>8</sup> I am here concerned only with the sort of desert that is earned. Perhaps everyone is born deserving (in some sense) a good life. This claim should not be taken to conflict with the *Non-Comparative Anti-Moral-Luck Principle*.

<sup>9</sup> Note that some persons never get to make a morally significant choice. Their expected (and actual) desert level will thus be 0. (Recall that I am concerned with the sort of desert that is earned.) So, assigning a positive expected desert level to some choice circumstance will inevitably generate comparative unfairness.

while Alice would have earned -90 if she had not rescued the child. Daniel thus avoided a risk of earning much more blame than he did earn. This compensates him for his increased chance of earning some degree of blame.

The Egalitarian Solution allows us to say that Alice is more praiseworthy than Claire and Daniel, while apparently respecting our anti-moral-luck intuitions. Thus, it looks like a promising approach to circumstantial and constitutive luck. However, it is not clear that the Egalitarian Solution can be applied to the problem of resultant luck. If we say that Alice is more praiseworthy than Bill, then it looks like their expected desert levels differ due to something other than their free choices (for example, the presence of the strong current in Bill's case).<sup>10</sup>

I do not regard this as a significant cost. Rejecting resultant luck and claiming that Alice and Bill are equally praiseworthy is an attractive position in its own right. Previously, rejecting resultant luck generated pressure to also reject circumstantial and constitutive luck, and thus to accept revisionary commitments (such as *responsibility scepticism* or *responsibility explosion*). As Dana Nelkin worries, 'where can one draw a principled line between acceptable and unacceptable forms of luck?' [2013: sec. 5]. But if the Egalitarian Solution allows us to reject circumstantial and constitutive luck without taking on such revisionary commitments, we do not have to draw an arbitrary line between acceptable and unacceptable forms of luck. We can reject all forms of moral luck. (My view is that we do not have a genuine instance of moral luck unless we have a violation of the *Non-Comparative Anti-Moral-Luck Principle*. However, I have no substantive objection to the claim that *agents like Claire do experience moral luck, but the moral luck that they experience is not unfair because it does not change their expected desert level*. My disagreement with this claim is merely a verbal dispute regarding the use of the term 'moral luck'. My goal is to avoid, at minimal cost, the unfairness that seems to arise in purported cases of moral luck.)

In the next section, I lay out the conception of praise and blameworthiness that I take to underly the Egalitarian Solution. In section 4, I consider whether the Egalitarian Solution succeeds in accommodating our anti-moral-luck intuitions. Finally, in section 5 I consider whether the Egalitarian Solution requires excessive revision of our common-sense judgments regarding praise and blame.

### 3. Praise as a Battle Citation

Each of Gail and Howard has an opportunity to steal from their employer. Gail's motivations closely track the strength of her moral reasons, just as they usually do. Thus, she has little desire to steal. As a result, she easily refrains from stealing. Howard, in contrast, experiences a very strong temptation to steal, just as he often does. He overcomes this temptation and, with difficulty, refrains from stealing. (Neither Gail nor Howard is responsible for their current set of desires.)

Who is more morally laudable? You may be of two minds here. Gail is, in Holly Smith's [1991: 282] terms, a *moral paragon*, while Howard is a successful *moral*

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<sup>10</sup> We could try to keep their expected desert levels the same, by saying that, because her attempt would have succeeded, Alice is more blameworthy than Bill if they both refrain from trying to rescue the child. I don't find this claim very plausible. And tricky questions would arise in cases where it is causally undetermined whether one's attempt would have succeeded. For another interesting approach to resultant luck which claims that our current practice of punishment is equivalent to a penal lottery that treats successful and unsuccessful attempts equally, see Lewis [1989].

*resistance fighter*. We admire both the virtue that makes the moral paragon's act so easy and the struggle against temptation displayed by the resistance fighter. Smith [1991] lays out models of praiseworthiness that track each possibility. The *moral purity* model of praiseworthiness holds that praiseworthiness is roughly a matter of acting rightly on the basis of good desires while lacking bad desires. The *battle citation* model holds instead that praiseworthiness depends on winning a battle with one's bad desires.<sup>11</sup> One earns praise in so far as one overcomes a temptation or desire to act badly.

When it comes to deserved praise and blame, I prefer something along the lines of the *battle citation* model. I agree that there is an important sort of moral evaluation that ranks Gail ahead of Howard. Gail is a better or more virtuous person than Howard. But she is not more deserving of praise. Rather, by overcoming a higher degree of temptation, Howard earns more praise than Gail.

If we accepted something along the lines of the *moral purity* model, the Egalitarian Solution would be in trouble. People like Gail are much more likely to do the right thing than are people like Howard. On the *moral purity* model, it looks as though Gail will have a higher expected desert level than Howard will.<sup>12</sup> And this is because she happened to start with better desires. Thus, the *moral purity* model naturally leads to accepting constitutive luck.

However, if we accept the *battle citation* model and give Howard significant credit for overcoming temptation, the Egalitarian Solution looks more promising. His circumstances are no worse (when it comes to desert), because his increased chance of acting wrongly is counterbalanced by the chance to earn more praise by acting rightly. I suspect that those of us who have strong anti-moral-luck intuitions will tend to prefer the *battle citation* model. The *moral purity* model wears its unfairness on its sleeve by favouring those who, just by luck, have a good set of desires. So, I am happy to rely on the *battle citation* model. (Or something close to it. See section 5.1 for a potential modification.)<sup>13</sup>

It is highly plausible that the *battle citation model* captures an important aspect of our moral practice. We do amplify praise on the basis of apparent difficulty. This raises two questions. (1) Why does overcoming temptation amplify praise? (2) What determines the degree to which overcoming temptation amplifies praise in particular cases?

These questions reveal an additional motivation for my approach. The Egalitarian Solution provides an attractive answer to (1). Temptation often amplifies praise because it normally makes one more likely to act wrongly. Thus, in order to keep the deck from being unfairly stacked against the tempted, extra praise for acting rightly (and/or reduced blame for acting wrongly) is called for.

<sup>11</sup> Smith also discusses a third model on which acting on good desires is required, but neither the presence nor the absence of bad desires is required. Smith credits Henson [1979] for the term 'battle citation'.

<sup>12</sup> The one way to avoid this would be to claim that Gail would be much more blameworthy than Howard if she acted wrongly. But it is hard to see the motivation for this move from within the framework of the *moral purity* model.

<sup>13</sup> I granted that luck renders Gail more virtuous than Howard. Why reject luck when it comes to praise and blame, while accepting that luck plays a role in other forms of moral evaluation (such as whether one is virtuous)? Although any deep explanation of this difference will be controversial, it seems very plausible that certain domains of moral evaluation are more sensitive to luck than others. Suppose that, due entirely to bad luck, evil desires are implanted in my brain. I become in some sense a bad person, but it is plausible that I do not automatically become blameworthy (in the absence of any action on my part). So, we should not find it surprising that different domains of moral evaluation differ with regard to their relationship to luck.



My approach also helps us to make progress on question (2). Although I cannot provide a precise formula that tells us how much extra praise is due in any particular case of temptation, the Egalitarian Solution provides a constraint. We must assign praise and blame in such a way that the expected desert level remains at 0. This fact provides a partial explanation of why a certain amount of praise is called for in a particular case. So, at least some progress has been made on question (2).

#### 4. Does the Egalitarian Solution Capture the Anti-Moral-Luck Intuition?

I now want to explore several worries regarding whether the Egalitarian Solution fully satisfies our anti-moral-luck intuitions. Suppose that Claire, from our **Circumstantial Luck Case**, is told that she did not experience unfair circumstantial luck because her expected desert level is no worse than Alice's. Suppose that she objects: 'I nonetheless had bad luck because I didn't face the same opportunities for praise that Alice did.'

An initial flatfooted response is available here. Lacking opportunities for praise is bad luck with regard to an aspect of Claire's circumstances. But, given that her expected desert level is no worse than Alice's, it is plausible that her total circumstances are no worse than Alice's. It is not unfair if some aspect of Claire's situation is worse due to luck, so long as her total situation is not worse due to luck. A solution to the problem of moral luck need only avoid unfairness in one's total circumstances, rather than in each aspect of one's circumstances. If nothing deeper is behind Claire's complaint, I think that this flatfooted response is successful. But there are several sophisticated thoughts that might be motivating Claire's objection. I will consider these in sections 4.1–4.3.

##### 4.1 'I Would Have Done the Same Thing'

Suppose that Claire claims 'I don't care what my expected desert level was. I would have saved the child in Alice's circumstances. So, she and I should be equally praiseworthy.' Claire's thought is that, so long as she would have saved the child and thus earned more praise, she did experience bad moral luck. Thus, the Egalitarian Solution has failed to rid us of moral luck.

Note that, on the Egalitarian Solution, agents cannot earn praise or blame for an act if the objective probability of their performing the act was 100%. If this were possible, then they would unavoidably have a positive or negative expected desert level prior to their agential activity. You cannot have a *no lose scenario*. If you have a chance to earn praise, there is some objective chance that you will earn blame.

Given this, if Claire's complaint is to succeed, she must maintain that it's true that

(C) *Claire would have saved the child,*

despite the fact that there would have been some objective chance of her not saving the child. Many will be sceptical of this claim. Surely it is true that Claire *might* have refrained from rescuing the child. And some philosophers think that it cannot be true that you would have done A if it's also true that you might not have done A.<sup>14</sup> Furthermore, many philosophers are sceptical that there is any metaphysical basis that could provide grounds for the truth of (C), given that the probability of

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<sup>14</sup> See, e.g., Lewis [1973] and van Inwagen [1997]. But see DeRose [1999] for an alternative view.

Claire's rescuing the child would have been less than 1.<sup>15</sup> Philosophers who hold either of these views can reject Claire's complaint on the ground that (C) is not true. This is the best line for a proponent of the Egalitarian Solution to take.

#### 4.2 Do Praise and Blame Cancel Out Each Other?

One might worry that the Egalitarian Solution does not avoid moral luck, because earning both praise and blame is not equivalent to earning neither. Consider Irene, who faces no morally significant choices throughout her life, and John, who faces a great many choices in which he has a 50% chance of earning +10 praise and a 50% chance of earning -10 blame. I've been assuming that both of them would have an expected desert level of 0. But perhaps this isn't right. Perhaps Irene should expect to end up with a moral ledger devoid of both positive and negative desert, while John should expect to have a moral ledger that looks something like this: [+10, -10, -10, +10, -10, +10 ...]. And this is importantly different than deserving nothing.

The thought here is that earning +10 praise and also earning -10 blame does not result in deserving nothing; rather, it results in deserving both praise and blame. We have reason to give John both the good and bad that he is due, rather than to treat him in the same way as we ought to treat Irene.<sup>16</sup> Let's call this the *Baratheon approach*.<sup>17</sup>

I do not think that the *Baratheon approach* undermines the Egalitarian Solution. It is true that, on the *Baratheon approach*, Irene and John should expect to deserve very different things. Irene should expect to deserve nothing, and John should expect to deserve both praise and blame. However, so long as what they expect to deserve is equally valuable, I do not think that either of them has experienced bad moral luck. Assuming that deserving 0 and deserving both +10 and -10 are equally good, the expected value of John's circumstances is the same as the value of Irene's circumstances. Unless we have a reason to think that deserving 0 is not just as valuable (or non-valuable) as deserving both +10 and -10, there is no trouble here. (In order to take on board the *Baratheon approach*, I would have to modify my *Comparative and Non-Comparative Anti-Moral-Luck Principles*, so that they make claims about the expected value of one's future desert, rather than claims about expected desert levels.)

#### 4.3 Risk Aversion

Consider Kathleen, who faces a choice between collaborating with an evil regime or risking her life by joining the resistance. Suppose that, in virtue of this choice scenario, she has a 50% chance of gaining +1000 desert (by joining the resistance) and a 50% chance of gaining -1000 desert (by collaborating). Kathleen might be risk-averse, and might thus prefer having no chance of becoming a moral monster. She might wish that she would, over the course of her life, have had no chance of earning a

<sup>15</sup> See, e.g., Adams [1977] and van Inwagen [1997].

<sup>16</sup> I owe this sort of worry to Michael Zimmerman.

<sup>17</sup> It is so-named because of Stannis Baratheon's treatment of Davos in *A Clash of Kings*. In response to Davos's bravery, 'Lord Stannis had rewarded Davos with choice lands on Cape Wrath, a small keep, and a knight's honors ... but he had also decreed that he lose a joint of each finger on his left hand, to pay for all his years of smuggling' [Martin 1998: 12].

total desert level less than -100. She might prefer this despite the fact that she would still have had an expected desert level of 0, having also lost out on the chance to become a moral hero.

If we think that Kathleen is objectively correct in preferring to avoid the risk of being a moral monster, then we might think that she has had bad moral luck. Additionally, even if we think that there is no objectively correct level of risk aversion, we might think that she has had bad luck due to the mismatch between her preferred level of risk and the level of risk that she actually faces. (A parallel worry would arise if, instead, we considered an agent who prefers risky situations.)<sup>18</sup>

I see two ways for a proponent of the Egalitarian Solution to handle the issue of risk-averse (or risk-seeking) agents. Here is my preferred approach. Agents like Kathleen, who experience a mismatch between their preferred level of risk (regarding desert) and their actual level of risk, experience a form of bad luck. However, this sort of luck is not sort of luck that we need to avoid in order to solve the problem of moral luck. Some types of bad luck are, intuitively, due to unfairness in the world, rather than to unfairness in morality itself. We do not think that an agent experiences bad *moral* luck when rain causes her house to flood. Rather, her bad luck is *nonmoral*.

We need to separate moral luck from other sorts of luck. My preferred way of demarcating moral luck flows from my *Non-Comparative Anti-Moral-Luck Principle*. I say that *an agent is subject to moral luck just in case they possess a positive or negative expected desert level due to anything other than their exercising free agency*. On this approach, Kathleen's bad luck is not an instance of moral luck. Finding oneself with a mismatch between one's preferred level of risk (regarding desert) and one's actual level of risk is, like finding oneself with a flooded basement, the sort of bad luck that agents unfortunately encounter in the world. But it is not the sort of bad luck that we need to avoid in order to solve the problem of moral luck.

Perhaps some will be inclined to say that Kathleen's bad luck *is* moral luck. We can accommodate this by appealing to *risk-weighted expected utility theory*, developed by Buchak [2013]. It modifies traditional *expected utility theory* in order to accommodate the agent's preferences regarding risk. For example, since Kathleen is risk-averse, the payoff for her joining the resistance would have to be higher than +1000 desert in order for her choice situation to have a risk-weighted expected desert level of 0. How much higher it would have to be depends on how risk-averse Kathleen is.

This approach makes use of the agent's subjective preferences about risk in assigning desert points to particular actions. So, Kathleen might deserve more praise (or reward) than a less risk-averse agent would for the performing the same act in the very same circumstances. An agent's degree of risk aversion can change over time. So, a proponent of this approach would have to determine which time is relevant for assigning 'desert points' to the agent's options. The moment of choice would appear to be a natural candidate.<sup>19</sup>

On this risk-weighted approach, we would modify the account of moral luck and say that *an agent is subject to moral luck just in case they possess a positive or negative risk-weighted expected desert level due to anything other than their exercising free*

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<sup>18</sup> See Hartman [2019] for a worry along these lines.

<sup>19</sup> I myself find it quite strange to think that desert could depend on one's risk preferences in this way. An alternative approach might hold that there is an objectively correct level of risk aversion, and use that level of risk aversion, rather than the agent's subjective preference, to assign the 'desert points'. But positing one objectively correct level of risk aversion also seems strange.

*agency*. Since we can assign desert points in a manner that fixes Kathleen's risk-weighted expected desert level at 0, we can successfully avoid moral luck.

#### 4.4 Doing without Precise Expected Value?

So far, I have been assuming that we can assign a precise expected desert level to every possible situation in which one could choose. But perhaps this is overly optimistic. Some philosophers believe that an act cannot be free (in the sense required for moral responsibility) if there is a fixed objective probability that the agent will perform the act.<sup>20</sup> Other philosophers might deny that deserving X and deserving Y are always comparable. (Two states are comparable just in case one is better than the other, they are equally valuable, or they are on a par.<sup>21</sup>) For example, a proponent of the *Baratheon approach* might deny that deserving both a small reward and a small punishment is comparable with deserving nothing. If either of these views is correct, we will not always be able to assign a precise expected value to one's future desert.

I myself am not inclined to accept either of these views. But can philosophers who do so still use something along the lines of the Egalitarian Solution? I think so. The key insight of the Egalitarian Solution is that moral luck occurs only if some choice situation is better (so far as one's prospects for desert are concerned) than another. The following principle makes no appeal to expected desert levels:

*EIP*. For any two choice situations A and B, neither is better than the other (so far as one's prospects for desert are concerned). Instead, A and B are equally valuable, on a par, or incomparable.

*EIP* possesses the main advantage of the Egalitarian Solution. If *EIP* is true, no agent can complain that her circumstances of choice include worse prospects for desert than any other agent's do. And *EIP* does not commit one to the claim that we can assign a precise expected desert level to every possible choice situation. We can think of my Egalitarian Solution as providing one explanation of *EIP*. But another explanation could appeal to widespread incomparability between choice situations. This incomparability could result from the absence of facts about how probable it is that agents will choose rightly in various circumstances. Or it could result from the underlying incomparability of deserving both a small reward and a small punishment with deserving nothing. Thus, I think that the spirit of the Egalitarian Solution could be maintained in the absence of precise expected desert levels.

#### 5. Is the Egalitarian Solution too Counterintuitive?

I now turn to worries that suggest that the Egalitarian Solution, even if more palatable than *responsibility scepticism* or *responsibility explosion*, still requires too extensive a departure from common sense. I want to emphasize that the Egalitarian Solution need not cohere perfectly with common sense in order to be successful. We should tolerate some degree of departure from common sense in order to avoid moral luck. Still, an extreme departure would be cause for concern. In this section, I attempt to minimize such departure.

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<sup>20</sup> See, e.g., Pereboom [2014: ch. 3].

<sup>21</sup> For a discussion of the notion of 'on a par', see Chang [2002].

### 5.1 Probability, Mitigation, and Difficulty

Recall Howard, who has a strong desire to steal—a desire that renders him unlikely to act rightly. The Egalitarian Solution implies that he, being unlikely to act rightly, is thus less blameworthy if he acts wrongly, more praiseworthy if he acts rightly, or both. This is at least somewhat intuitive in Howard’s case, since it is plausible that he deserves credit for overcoming temptation if he acts rightly. But consider agents whose level of desire to act wrongly departs from their likelihood of acting wrongly. Consider Landry, who has no strong desire to act wrongly, has a strong desire to act rightly, but nonetheless is likely to act wrongly. Or Martha, who has a strong desire to act wrongly, and only a weak desire to act rightly, but is nonetheless very unlikely to act wrongly. Perhaps it is a departure from common sense to hold that Landry and Howard are relevantly similar while Martha is more culpable than either of them if she acts wrongly. Which feature should we take to mitigate blame and to amplify praise—*possessing a desire to act wrongly* or, instead, *being likely to act wrongly*?

One might be tempted to avoid this question by maintaining that Landry and Martha are not free agents. Something other than their own motivational states is determining what they are likely to do, and it is plausible that this undermines their agency. But, in order to avoid the issue completely, one would have to say that even a *tiny* mismatch between the relative strength of one’s desires and the probability of various actions completely undermines free agency. And that seems implausible.

A better option would be to say that, if an actual cause of an act does not suitably depend on the strength of the agent’s desires, the act is not free. Furthermore, all mismatches between the strength of one’s desires and the probability of various actions are due to the potential influence of such a cause. The thought here is that the probability of one’s acting in a specific way is fixed by the relative strength of one’s desires, unless some potentially freedom undermining event might interfere. On this view, if the strength of your motivation to do A is twice as strong as the strength of your motivation to do not-A (and there is some chance that you will freely perform one of the acts), then the probability of your freely doing A must be twice as high as the probability of your freely doing not-A. Since acting unfreely will never result in a positive or negative desert level, the influence that this potential event has on the probability of various actions will have no effect on the agent’s expected desert level.

Thus, in the event that Landry and Martha both freely act wrongly, we can secure the result that Landry is more blameworthy. This is because the probability of his freely acting rightly is higher than the probability of Martha’s freely acting rightly. I find this option promising, but I grant that, in order to provide a clear solution, it would have to be worked out in significantly more detail.

If the foregoing options fail, then the Egalitarian Solution might be forced to commit to its being probability, and not strength of desire, that fundamentally matters for mitigation of blame and amplification of praise. This would require us to modify the *battle citation* model of praise:

*Modified Battle Citation Model.* Praiseworthiness depends on overcoming a chance of acting wrongly, regardless of whether one was tempted to act wrongly.

If the original *battle citation* model is intuitive because it is intuitive that overcoming temptation amplifies praise, then this modification may appear to be a significant cost. However, I don’t think that it is too costly. It is plausible that in most situations the

strength of S's desire to do A is (or is taken to be) a good proxy for the probability of S's doing A. This could explain why our judgments about mitigation and amplification are sensitive to facts about strength of desire, even though probability is what fundamentally matters. It is only in rather strange cases, where we know that probability and strength of desire come apart, that we gain even potentially counterintuitive results.

I myself have no clear intuition about which one of Landry and Martha is more praiseworthy for acting rightly. So, I would be happy to accept that Landry is more praiseworthy if this answer ultimately coheres best with the Egalitarian Solution.

I now turn to the notion of *difficulty*. Nelkin [2014: 357] notes two sorts of difficulty that we often take to mitigate blame: 'on the one hand, [difficulty] can be understood as requiring a great deal of effort, and, on the other, it can be understood as requiring a great sacrifice of one's interests.' Nelkin then worries that the role of difficulty cannot be captured by appeal to probability.

The Egalitarian Solution can make sense of the claim that difficulty *normally* mitigates blame. But, I think, we must reject the claim that it always does so. First, consider the issue of effort. Normally, the fact that something would require great effort makes us less likely to do it. In such cases, the Egalitarian Solution provides a nice explanation of why difficulty mitigates blame (and amplifies praise). But this approach will not always work. Nelkin [ibid.: 359] provides a case:

Suppose that Drew is the kind of person for whom it would take a great effort [to avoid drinking and driving], but who also has a great deal of willpower, and fairly often expends great effort resisting temptation. In this case, the odds are 99–1 that she will walk away from the bar without taking the extra drink. This is perfectly consistent with her making a great effort—and needing to—in order to walk away.

The Egalitarian Solution will have to say that Drew is less praiseworthy for walking away (or more blameworthy if she does not) than is a person with less chance of acting rightly. Drew should be conceived of as a different sort of *moral paragon*. Her willpower is a highly admirable character trait.<sup>22</sup> (And of course she might have earned praise by making past choices that helped to develop that willpower.) But she does not earn as much credit for her choice as does someone who lacks her degree of willpower but who still refrains from drinking and driving. Since the difficulty of the choice did not make Drew less likely to make it, the difficulty does not amplify praise.

We should take a similar approach to self-sacrifice. Normally, the fact that an act sets back an agent's interests makes them less likely to perform it (even if it is morally required). But if this is not true for some agent, then this may be a very admirable feature of them. But it prevents the sacrifice from amplifying praise and mitigating blame. In general, difficulty is a good proxy for features of a situation that do mitigate blame, but difficulty does not directly mitigate blame.

## 5.2 Adding Bad Options

Suppose that Nathan is extremely angry, and is tempted to hurt his friend. He has these options: (1) refrain from harming his friend; (2) punch his friend. Now suppose that someone places a gun near Nathan, thus giving him a third option: (3) shoot his friend.

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<sup>22</sup> Perhaps willpower should be conceived of as a desire to do what one ought even when it requires great effort.

There is some chance that he will take option (3), and he would be more blameworthy for (3) than for (2). In order to keep his expected desert level at 0, we must say that, in virtue of having option (3), Nathan will be less blameworthy if he does (2) or more praiseworthy if he does (1).<sup>23</sup>

Some may find it counterintuitive that what Nathan would deserve in virtue of choosing options (1) or (2) changes merely in virtue of his gaining an additional bad option. However, I think that there is something to be said in favour of this result.

Note that, because of the presence of the gun together with Nathan's anger, there is now a chance that something terrible will happen. Agents are often praiseworthy for taking action to prevent terrible outcomes. Often this occurs when agents prevent terrible possibilities that are external to their agency. I suggest that agents can also earn moral credit when they prevent terrible possibilities that are created by their own desires. When (because of factors external or internal to the agent) the world is trending toward a very bad outcome and the agent acts to prevent that outcome, the agent earns moral credit. By choosing (1) or (2), Nathan avoids the truly terrible possibility of option (3). In virtue of having option (3), his choice of (1) or (2) has an additional good feature—avoiding the possible bad outcome of (3). Thus, it makes sense to view (1) and (2) more favourably.

We can further motivate the change in desert levels associated with (1) and (2) by appealing to the anti-moral-luck intuitions that underwrite the Egalitarian Solution. If (1) and (2) kept the same desert levels, then Nathan's expected desert level would decrease merely because his external circumstances changed. But this seems unfair to Nathan. Once all of this is taken into account, it does not seem implausible to say that adding option (3) will render Nathan less blameworthy if he does (2) or more praiseworthy if he does (1).

### 5.3 No Lose Scenarios

One important feature of the Egalitarian Solution is that it rules out the possibility of *no lose scenarios* (that is, scenarios in which an agent can earn praise but not blame). This is because finding oneself in a *no lose scenario* would entail starting with a positive expected desert level.

But perhaps there are cases where it is intuitive that an agent is in a *no lose scenario*. Suppose that Orene has been volunteering at the local hospital all day (as she often does), and now she must choose between staying and helping for a few more hours or heading home for some much-desired rest. Intuitively, she is praiseworthy if she stays but not blameworthy if she leaves. Does this make trouble for the Egalitarian Solution?

Note that we have a potential *no lose scenario* only if we severely limit Orene's options. If she has the option of heading home with the intention of writing a cruel email or the option of staying in order to make vicious remarks to the nurses, then she clearly can act in a blameworthy manner. It is only if all of the bad options ordinarily available to an agent like Orene are somehow eliminated that we get a *no lose scenario*. Intuitively, real-world agents have the option to make a decision with bad intent (for instance, staying with the intention of making vicious remarks). So, even if we end up saying something counterintuitive about agents with no bad options,

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<sup>23</sup> Thanks to D. Black for pointing out this sort of case to me.

the damage to common sense will be mitigated by the fact that we are dealing only with highly artificial cases.<sup>24</sup>

If Orene is truly unable to do anything that is intuitively blameworthy, then the proponent of the Egalitarian Solution must say either say that she does not earn praise for staying and helping or that she does earn blame by going home to relax. There are things to be said on behalf of each option. First, it is plausible that we judge, intuitively, that Orene is praiseworthy because we assume that she has made herself the kind of person who is incapable of making any bad choices. It is her past character shaping choices, made when she was able to make bad choices, that explain her high degree of praiseworthiness.

This is compatible with praising her for *staying and helping now*. One can hold that one's total *degree* of deserved praise (how much praise one deserves) is immune to luck, while the scope of praiseworthiness (those events for which one can be praised) is affected by luck. The advantage of this sort of approach is that the successful murderer can be blamed for *killing someone* even though she does not deserve more total blame than the merely attempted murderer.<sup>25</sup> Similarly, we might praise Orene for *staying and helping now* even though she would have deserved the same degree of praise if she had gone home. The scope of her praiseworthiness includes more events because she stayed. But her degree of praiseworthiness is the same. The Egalitarian Solution is a view about the degree of deserved praise and blame (that is, how much praise or blame is deserved). So, it is compatible with accepting luck regarding the scope of praise and blameworthiness.

Appealing to Orene's past choices can take us only so far. Suppose, further, that we stipulate that her inability to act badly is not due to previous good choices. Then we cannot trace her praiseworthiness to past choices. However, the case is now even more artificial. And we can still maintain that she has an admirable character even though she does not deserve praise. Relatedly, you might imagine knowing that you have already praised Orene to the full deserved extent for her character-shaping choices. You would then, counterintuitively, lack a desert-based reason to praise her now. This scenario might introduce another form of artificiality. I doubt that agents often know that (a) they have given the full amount of deserved praise, without also knowing that (b) they have over-praised. If, regarding Orene, you know (a) only because you know (b), then, it won't be so intuitive that you should praise her further. And cases where you know (a) but not (b) seem artificial.<sup>26</sup>

The other option is to say that Orene is blameworthy if she goes home to relax. There are two ways to motivate this claim. First, we could focus on the fact that she is doing less than the best. She knew that staying was better, and so she's at least somewhat blameworthy for leaving value on the table. (This thought will appeal to those who are inclined to deny that there are supererogatory actions.) Second, rather than complaining that Orene fails merely to choose the best, we can point out that she chooses the worst. By stipulation, going home is the worst thing that she can do. At least some philosophers are tempted to claim that it is not permissible to choose

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<sup>24</sup> One might think that agents have an option to do A only if A it occurs to them that they might do A. On this view, the limiting of Orene's options is less artificial. There will surely be cases where no bad options occur to an agent. (Thanks to a referee for mentioning this.)

<sup>25</sup> See Fischer [1986], Zimmerman [2002], and Swenson [2019].

<sup>26</sup> Thanks to a referee for raising this worry.



one's worst option (when better options are available).<sup>27</sup> And if going home in Orene's case is impermissible, then it is plausibly blameworthy. This approach does not require any general scepticism about supererogatory action. We could still have supererogation in cases where the agent has more than two options.<sup>28</sup>

#### 5.4 No Win Scenarios

The Egalitarian Solution also rules out *no win scenarios* in which one could earn blame but where one has no chance of earning praise. Are there cases that, intuitively, are *no win scenarios*? Suppose that, as part of a fair distribution of household chores, Patrick is assigned the very easy task of taking out the trash. One might be tempted to think that he is blameworthy if he fails to take out the trash, but is not praiseworthy if he does take it out. After all, taking out the trash is what he's supposed to do. He shouldn't get credit for merely fulfilling his minimal responsibilities!<sup>29</sup>

Note that Patrick's options would also have to be artificially curtailed in order to generate a potential *no win scenario*. If he decides to take out the trash while strategizing about how he could most improve life for his housemates, he is intuitively praiseworthy. But even if we set that aside, I find it plausible that Patrick is slightly praiseworthy. Suppose that he lives with his housemates for many years and *never once* fails to take out the trash or to do any other assigned chore. It seems plausible that he is praiseworthy for this consistent behaviour. And it is hard to see how he can be praiseworthy for the overall pattern of behaviour, if he is not at least slightly praiseworthy for the individual acts that compose it. I suspect that a similar point could be made about other purported *no win scenarios*.

#### 5.5 Tiny Chances

Suppose that there is a very tiny chance that Quinn will do something truly horrible: perhaps she might suddenly attempt to detonate a nuclear bomb, killing millions. She would presumably be extraordinarily blameworthy for this act. Given this, in order to keep her expected desert level at 0, must we say that she earns an implausibly high degree of praise just for going about her daily activities? The worry here is not that Quinn gets some small degree of credit for resisting a tiny temptation to mass murder. Rather the worry is that, given how blameworthy she would be for mass murder, we must give her an implausible amount of praise for choosing a morally neutral alternative.

The first thing to note is that blameworthiness does not increase in a linear fashion with the badness of one's action. Quinn would not be 1,000,000 times more blameworthy for killing 1,000,000 million people than she would be for killing just one person. One may be significantly more blameworthy for an act that kills two people than for an act that kills a single person. But the difference in degree of blameworthiness for an act that kills 1,000,000, as opposed to an act that kills only 999,999, seems negligible. So, Quinn does not have even a tiny chance of earning anything close to

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<sup>27</sup> See Rubio [2018].

<sup>28</sup> The Frankfurt Cases might provide another motivation for *no lose scenarios*. I respond to Frankfurt Cases elsewhere ([2015, 2016, 2019]; Capes and Swenson [2017]).

<sup>29</sup> I benefited from a discussion of this sort of case in Holly Smith's Spring 2017 graduate seminar at Rutgers University.

1,000,000 times as much blame as she would for committing one murder. This lessens the amount of potential praise required to keep her expected desert level at 0. This line of thought may reduce the problem significantly. It is unclear to me whether an agent who kills 1,000,000 people is even 100 times as blameworthy as an agent who kills just one person.

Furthermore, an agent who has a tiny chance of doing great evil may also have a tiny chance of doing great good (for instance, deciding to donate most of their life savings to highly effective charities). In such cases, the tiny chance of earning great praiseworthiness might do most of the work of balancing out the agent's chance of being extremely blameworthy. Thus, we need not highly praise them for going about their daily activities. (I'm not claiming that they would be blameworthy for the evil act because they had the chance to perform the very good act. Rather, their having the chance to perform the very good act helps to explain why they would not be very praiseworthy for performing a morally neutral act.)

Additionally, note that most people are probably psychologically incapable of attempting acts like mass murder in their actual circumstances. Even if they did feel some very mild inclination towards mass murder, there is no chance that most people will act on it. So, agents like Quinn are probably few and far between.

The last point that I wish to make about Quinn is epistemic. Suppose that she is a rare agent who is psychologically capable of attempting mass murder, and thus has a very tiny chance of doing so. And suppose that she has no chance of doing some great good for which, intuitively, she would be highly praiseworthy. Suppose that, given the deficiencies of her moral character, the best thing that she can currently do is to decide to return her library books on time. And suppose that, despite discounting for the fact that such an action does not increase in a linear fashion, the Egalitarian Solution yields the result that she is surprisingly praiseworthy for returning her library books. Even so, this will not imply that we should actually give agents like Quinn lots of praise. We have no feasible way of ascertaining that she is not the more common sort of agent who has no chance of deciding to commit mass murder. (Given that the chance that she will act horribly is so tiny, it's unlikely that there will be signs that we can reliably notice.) We also have no way of knowing that she did not have a very small chance of doing something highly praiseworthy. For each agent going about their daily activities, it is very unlikely that they are highly praiseworthy for doing so. So, we should not be praising them. So, at the very least, the *tiny chances worry* does not show that we should behave in counterintuitive ways.

## 5.6 Precision of Deserved Responses

Robert Hartman expresses 'doubt that degrees of praiseworthiness and blameworthiness are as fine-grained as the math requires [for views like the Egalitarian Solution to work out]' [2019: 3190]. Are there deserved responses fine-grained enough to capture the difference between Ronald, who ran a .3184 chance of stealing, and the otherwise-identical Sam, who ran only a .3183 chance?

In response, let's appeal to comparative merit. Suppose that we can only praise either Ronald or Sam, but not both. Ronald, who is ever so slightly more meritorious, should be given priority. So, the very fine-grained degrees of positive desert are reflected in comparative facts about who should be praised or rewarded in certain circumstances.

## 5.7 Perfectly Balancing Out

An editor worries thus:

'I doubt people tend to have the symmetrical strength of opposing assessments the [Egalitarian Solution] requires, such that praise and blame tend to balance out. I think most people blame the person who gives into the temptation to steal, for example, very much more than they praise such people for refraining. Consider someone who is struggling to feed her kids. Given her difficult circumstances, we may indeed praise her for resisting temptation, but I bet we blame her very much more for giving in.'

I myself am not moved by the example. The more pressure that I imagine being under to feed one's children, the less that stealing seems blameworthy (or even wrong). A harder case might involve someone with a very strong desire to steal for selfish gain (rendering her 50% likely to steal). Would we really praise her as much for resisting temptation as we would blame her for giving in to that temptation?

I agree that there is some initial strangeness here. But when I focus on the general attractiveness of the battle citation model, and on the fact that the world is trending toward a bad outcome and she acts (or omits) to prevent that outcome, I don't find it so strange to give her a large amount of praise. In my view, this is the sort of somewhat counterintuitive result that we should be willing to accept in order to solve the problem of moral luck.

This ends my defence of the claim that the intuitive costs of accepting moral equal opportunity are not too high. I also argued that accepting moral equal opportunity can satisfy our anti-moral-luck intuitions. I am sure there is more to be said on both fronts. But I hope to have at least established that the Egalitarian Solution provides an approach to moral luck that is worthy of serious consideration.<sup>30</sup> There is hope for a luck-free, but nonetheless fairly common-sensical, picture of praise and blameworthiness.<sup>31</sup>

## Disclosure Statement

No potential conflict of interest was reported by the author(s).

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<sup>30</sup> One issue that I did not address is the relationship between the Egalitarian Solution and debates about the nature of free will. The Egalitarian Solution involves appeal to the notion of probability. *Compatibilists* about responsibility and determinism say that you can be blameworthy (or praiseworthy) for events that are causally determined. One might worry that Compatibilism is committed to *no win scenarios* in which you are causally determined to perform a blameworthy action, and thus where the probability that you will do so is 100%. But quite a few philosophers have thought that non-trivial objective probabilities (i.e. probabilities other than 0 or 1) are compatible with determinism (see, e.g., Loewer [2001], Hofer [2007], and Glynn [2010]). So, we should not assume that compatibilists cannot make use of the Egalitarian Solution.

<sup>31</sup> Thanks to Brian Cutter, Ian Cruise, Jon Garthoff, Chris Hauser, Bob Hartman, Beth Henzel, David Limbaugh, Dana Nelkin, John Pittard, Alex Pruss, Pamela Robinson, Amy Seymour, David Shoemaker, Holly Smith, Larry Temkin, Neal Tognazzini, Christopher Tomaszewski, Chris Tucker, Chris Willard-Kyle, Michael Zimmerman, and several journal referees and editors for helpful comments or discussion. Thanks to audiences at the APA, the SCP, RoME, Baylor, Christopher Newport University, VCU, and Rutgers. So many people have helped me to think through these issues over the years and I am sure I am forgetting some of you. So, thanks to those whom I am forgetting. I am especially grateful to D. Black and Patrick Todd for numerous helpful discussions. Work on this paper was funded by summer grants from The College of William & Mary.

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