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Forgiveness and Moral Luck

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1. Introduction

It is widely held that forgiveness is sometimes elective, such that prospective forgivers sometimes have discretion over whether (or at least, how soon) to forgive wrongdoers.[1] It is also widely held that, in granting forgiveness, the forgiver changes the normative landscape connecting the forgiver and the forgiven; forgiveness is not only psychologically and socially significant, but *normatively* significant.[2] Attention to the electivity and normativity of forgiveness, I argue, reveals our practices of forgiveness to be subject to a philosophically significant and unexplored form of moral luck. Rather than taking this kind of luck to count against the view that forgiveness is elective and normatively significant, I maintain that it contributes to an understanding of the ways in which we are morally vulnerable to those we culpably wrong. Furthermore, it provides a novel inroad for thinking about moral luck, moderately reconceived, more generally. For assuming that there is an important way in which one's being forgiven, upon apologizing, is determined by factors beyond one's control—factors such as the readiness or willingness of the victim to grant forgiveness—one might, given the normative significance of forgiveness, be morally lucky in being forgiven. But if the forgiven agent is morally lucky, assuming that this will not be a matter of her being *less blameworthy* than her unforgiven counterpart, we have available a view of moral luck that is nontrivial, yet, in principle, adoptable by standard opponents of moral luck, those who reject that one's

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[1] Allais (2008, 2013); Bennett (2018); Calhoun (1992); Cowley (2010); Govier (2002); Shiffrin (2007); Sussman (2018: 806); Wallace (2019: 90–1). Milam (2018) challenges the idea that forgiveness is *essentially* elective, though his position is compatible with the minimal kind of electivity that is my focus.

[2] Bennett (2018); Bovens (2009); Nelkin (2013); Owens (2012); Pettigrove (2004: 385); Swinburne (1989); Twambley (1976); Warmke (2016b).

blameworthiness can be determined (/intensified) by factors beyond one's control that are causally downstream of one's action.[3]

I begin in Section 2 by motivating the view that forgiveness is elective and distinguish strong and weak versions of electivity. Section 3 presents "Differential Forgiveness," as I label it, which presupposes only a relatively weak electivity thesis. In Section 4 I argue that Differential Forgiveness exemplifies an unexplored form of moral luck, *forgiveness luck*, where one's moral status can be determined by unintended factors causally downstream of one's exercise of agency. There I rely on the view that forgiveness can alter the deontic relations between the victim and wrongdoer. I provide an account of the relevant sense of "moral status" that affords a conception of moral luck that (a) is adoptable by those who hold that blameworthiness and praiseworthiness are immune to factors beyond our control and (b) preserves the distinction between moral luck, on the one hand, and morally significant plain luck, on the other (Enoch 2019). To put it differently, in the process of making a case for forgiveness luck, and proceeding from the assumption—substantiated below—that 'moral luck' is a contested concept, I provide grounds for accepting a capacious view of moral luck, one that, despite its capaciousness, is worthy of its name. Before concluding, I address two objections in Section 5, clarifying there the continuity between my proposal and accountability theories of moral responsibility.

2. Varieties of Electivity

Prospective forgivers intuitively, at least sometimes, have discretion over whether (or at least, how soon) to forgive wrongdoers.[4] That is, forgiveness is in some sense elective. I won't argue for this view here, but it is not difficult to illustrate some of its intuitive force. That forgiveness is often thought of as a 'gift' suggests that we take the granting of forgiveness to be something over which would-be forgivers have, or at least can have, discretion, where discretion is a normative matter implying that the would-be forgiver is *justified* in granting or withholding forgiveness.

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[3] This identification of the 'standard opponent of moral luck' with the opponent of resultant moral luck may appear contentious, but it is not. I return to this point in Section 4.3.

[4] I refer interchangeably to prospective forgivers and victims of wrongdoing, putting aside for simplicity's sake the possibility that non-victims (/third parties) suitably related to the victim may sometimes also be properly positioned to forgive. For defense of the latter idea, see Pettigrove (2009), MacLachlan (2017), and Chaplin (2019).

Lucy Allais endorses this view, writing that "forgiveness involves giving up resentment to which you are *entitled*, and this is what is so powerful about it" (Allais 2013: 643). Allais, however, accepts not only that forgiveness is under some conditions and, to some degree, elective, but that it is essential to forgiveness that it is wholly elective. This is at least suggested by Allais's claim that "forgiveness is elective in the sense that it can be given without repentance on the part of the wrongdoer...[and] repentance need not oblige the victim to forgive" (Allais 2013: 647). The victim is on this view justified in forgiving in the absence of any repentance (much less an apology or redress) on the part of the wrongdoer, and repentance (presumably even when accompanied by apology and redress) does not require the victim to forgive. While Allais does not explicitly subscribe to the following (whether she would is immaterial for my purposes), she seems to endorse the view that forgiveness is of its nature never required and always permissible (at least, as it concerns reasons of the 'right kind'—more on this shortly). In any case, it will be useful to identify at one end of the spectrum of possible views of forgiveness's electivity, the following:

STRONG ELECTIVITY: It is always optional—re forgiveness's reasons—for the wronged to forgive the wrongdoer.

STRONG ELECTIVITY implies not only that one has discretion over *how soon* to forgive (e.g., prior to the wrongdoer's repentance or apology) but *whether* to forgive at all, even when all possible conditions for justified forgiveness are met. That is, even when the wrongdoer has satisfied all possible conditions for justified forgiveness—feeling and expressing remorse, offering apology, repenting, engaging in self-improvement, etc.—*even then*, the victim is permitted to withhold forgiveness. And the victim is permitted to *grant* forgiveness in the absence of any of these conditions. What makes strong electivity so *strong*, then, is that the would-be forgiver has full discretionary power over whether and when to forgive.

I hasten to specify that this thesis is—as it must be if it is to have any plausibility—limited to reasons capable of rendering forgiveness *merited*, for example, the wrongdoer's having apologized, expressed remorse, changed their ways, or offered compensation.[5] We can call these *forgiveness-endemic* reasons, which contrast with forgiveness-extraneous reasons (roughly,

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[5] See Hieronymi (2001) and Milam (2019) for discussion.

reasons of the *wrong kind*[6]). Owing to this qualification (designated by, "re forgiveness's reasons"), STRONG ELECTIVITY allows that forgiveness-extraneous reasons—for example, moral or prudential forward-looking considerations—can make forgiveness all-things-considered required (/forbidden). The proponent of STRONG ELECTIVITY, then, can grant that you might be required to forgive the unrepentant wrongdoer if doing so were, say, to save an innocent life or prevent your torture, etc.[7] With this qualification in mind, STRONG ELECTIVITY amounts to the view that no (combination of) forgiveness-endemic reasons can render the victim required to forgive and that no such reasons are necessary for forgiveness to be permissible.[8]

At the other end of the 'electivity spectrum', forgiveness might be elective in the minimal sense described by:

WEAK ELECTIVITY: There are some conditions under which it is optional—re forgiveness's reasons—for the wronged to forgive the wrongdoer.

WEAK ELECTIVITY is consistent with there being, for every instance of wrongdoing, *some* condition(s) for forgiveness that the wrongdoer can meet such that forgiveness is required. It is also consistent with every instance of wrongdoing being such that, prior to the satisfaction of some condition(s) for forgiveness, forgiveness is forbidden. (Again, the same qualification holds concerning forgiveness-endemic reasons.) WEAK ELECTIVITY entails only that victims sometimes have discretion over *how soon* to forgive, that there may be a window of time within which—or, what comes to the same thing, given that the satisfaction of conditions

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[6] 'Roughly,' because I take it that some norms of blame other than fittingness (e.g., the norm of standing, the comparative non-arbitrariness norm) are endemic to our blaming practice, but nevertheless provide reasons of the wrong kind to (refrain from) blame. *And* given that blame and forgiveness are the front end and back end, respectively, of a single practice or "directed blaming exchange" (Shoemaker 2021: 32), these wrong kinds of reasons to (refrain from) blame can be forgiveness-endemic reasons.

[7] Perhaps, if it is essential to forgiveness that it be granted on the basis of what one takes to be reasons of the right kind, weighty forgiveness-extraneous reasons would provide *not* reasons to forgive, but to bring about the judgment that (sufficient) right kinds of reasons are present.

[8] Admittedly, the latter claim that forgiveness-endemic reasons are *unnecessary* for forgiveness casts doubt on the idea that forgiveness of this sort is *justified* (if not by forgiveness-extraneous reasons). See Milam (2018: 576). Fortunately, STRONG ELECTIVITY is introduced here primarily to fill out the logical space of electivity. I assume a relatively weak electivity thesis in what follows.

for forgiveness takes time, some range of satisfiable conditions across which—forgiveness is permitted but not required. To put it differently, WEAK ELECTIVITY entails only that there is some time at which the victim would be justified in forgiving the wrongdoer but would also have been justified in withholding forgiveness instead.

There is plenty of space between STRONG and WEAK ELECTIVITY. One could identify a range of 'medium-strength' views in between. There's no need for that, however. Moving forward, we need only assume that something in the ballpark of WEAK ELECTIVITY is true. Even if all instances of culpable wrongdoing are such that (i) certain forgiveness-endemic reasons can be present such that forgiveness is required and also that (ii) certain forgiveness-endemic reasons must obtain for forgiveness to be permitted, the argument of the chapter can get off the ground if it is granted that the victim may have discretion over how 'quickly' to forgive, that is, whether to forgive after the satisfaction of some (non-total) set of conditions for merited forgiveness.

Admittedly, the significance of the kind of moral luck to be outlined will depend on its not being exceedingly rare (or short-lived) that forgiveness is thus elective. But given that proponents of forgiveness's electivity lean toward the stronger end of the spectrum, those sharing my assumption (that forgiveness can be elective) will already be sympathetic to the idea that electivity features non-negligibly in our forgiveness practices. Without staking out a detailed account of the conditions under which forgiveness is elective, the argument that follows presupposes only that forgiveness is elective in way that is much closer to WEAK ELECTIVITY than STRONG ELECTIVITY. I use *WEAKISH ELECTIVITY* as a placeholder for this relatively weak form of electivity. We can assume that ordinarily some (minimal) contribution to moral repair on the wrongdoer's part (e.g., some remorse, an apology) is necessary for forgiveness to be justified and that withholding forgiveness is ordinarily unjustified, given the wrongdoer's (near) maximal contribution to moral repair.[9]

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[9] The intuition that wrongdoers must make *some* reparative steps for forgiveness to be justified is shared by, e.g., Kolnai (1974); Murphy and Hampton (1988); Novitz (1998); Richards (1988); Hieronymi (2001); Griswold (2007), and rejected by proponents of 'unconditional forgiveness', e.g., Garrard and McNaughton (2003); Holmgren (1993, 2012); Pettigrove (2004, 2012).

3. Differential Forgiveness

Consider the following pair of cases:

> CASE A
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> Anton and Van are childhood friends who have fallen out of touch. Anton is a senior member of a fraternity at the university that Van will join in the fall. Knowing this, Anton contacts Van and encourages him to join the fraternity, citing as reasons to do so the fraternity's track record in various laudable environmental initiatives. Van is hesitant, given the fraternity's reputation for subjecting incoming members to humiliating hazing rituals, but decides to sign up after being reassured by Anton that these rituals are a thing of the past. Van joins the fraternity on an orientation camping trip. Prior to the trip, the fraternity leadership decided that their hazing rituals are too important a part of their tradition to abandon and that this tradition will be in effect on the trip. Anton knows this but doesn't tell Van. On the trip, Van is subjected to various forms of humiliating treatment. As painful as this treatment is, equally painful to him is that his childhood friend had betrayed him. Upon returning, Van writes Anton an appropriately angry email telling him that that he wants nothing to do with the fraternity or with Anton himself. Anton feels terrible remorse, writes several (unanswered) emails to Van, and leaves several voice messages on Van's phone, hoping to arrange a meeting where he can apologize, to no avail. A few months later, Anton leaves the fraternity in protest, writing also an article in the student newspaper condemning its 'barbaric hazing practices' (earning him many enemies among former friends). A month later, about six months after the hazing incident, Anton runs into Van in the park and gives him a heartfelt apology. Van hears him out but does not forgive Anton.
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> CASE B
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> Just like CASE A, in all normatively relevant respects, with the exception that the victim (we can call him "Vibek" (think: *Vic*tim *B*), in this case) *forgives* the wrongdoer (we can call him "Ben", in this case) in response to the apology offered in the park.

Suppose that

  (1) Van (Victim A) justifiably withholds forgiveness when he does

and

(2) Vibek (Victim B) justifiably grants forgiveness when he does.

We can assume, as allowed by the view that forgiveness is only WEAKISHLY ELECTIVE, that Van would be unjustified in withholding forgiveness significantly longer, say, eight months after the apology (/after the satisfaction of some further conditions for justified forgiveness). We can also grant that Vibek would be unjustified in forgiving much earlier than he did (e.g., prior to Ben's leaving the fraternity).

Taken in tandem, Cases A and B provide an example of DIFFERENTIAL FORGIVENESS (to be outlined in general terms below). In assuming that it's permissible that (1) Van withholds forgiveness when he does and (2) Vibek grants forgiveness when he does, DIFFERENTIAL FORGIVENESS presupposes only that forgiveness is WEAKISHLY ELECTIVE, that is, that at least when (or around the time that) the apology is offered, forgiveness is justified (and so permitted), but not required. The electivity of forgiveness is such that neither Van nor Vibek do anything wrong; each is justified in responding as he does.[10]

It is a feature of DIFFERENTIAL FORGIVENESS that there is no normatively relevant difference between Cases A and B such that there are grounds to forgive Ben *rather than* Anton. Not only are Anton and Ben blameworthy to the same degree for performing the same kind of action; there is no difference in the evidence of wrongdoing possessed by Van or Vibek, or in, say, the standing to blame that Van or Vibek has vis-à-vis their respective wrongdoers, etc. (Indeed, we can think of Case B as describing a counterfactually possible variant of Case A.)

Now, a general characterization of DIFFERNTIAL FORIGIVENESS:

At some time t_1, agents A and B, each perform the same kind of culpable action, Φ, wronging two agents, Victim A (VA) and Victim B (VB), respectively. A and B are blameworthy to the same degree for their respective Φ-ings. At a later time, t_2, both wrongdoers (A and B) are blamed in the same way by their respective victims, VA and VB, for their respective wrongdoings. Later still, at t_3, A and B each apologize to the persons they've wronged—A to VA and B to VB—perhaps expressing remorse, offering redress, committing to do better in the future (or whatever (else) renders

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[10] This is compatible with its being true that the victim manifests a *virtue of character* in Case B but not in Case A (Roberts 1995) or that there is (otherwise) more value in the Case B world. If the reasons for forgiveness play a merit-conferring role (without a requiring role), Vibek's forgiveness might be supererogatory (Horgan and Timmons 2010). But supererogatoriness is (standardly taken to be) a feature of actions, and as I clarify below, I am noncommittal about whether forgiveness is an action.

forgiveness here justified). In response to the apology, VA *does not* forgive A, but VB *does* forgive B. VA and VB are both justified in responding as they do.

Some of the details in the above characterization are filled in as they are only for illustrative purposes. DIFFERENTIAL FORGIVENESS does not presuppose that apology (rather than, say, the feeling of remorse) is required for forgiveness to be permissible at t_3. (After all, all that is presupposed is *WEAKISH ELECTIVITY*, which leaves open the forgiveness-endemic reasons that must be present for forgiveness to be justified but unrequired.) Depending on the precise ways in which one takes forgiveness to be elective, DIFFERENTIAL FORGIVENESS can be variously specified.

4. Forgiveness Luck

Is Ben morally lucky in being forgiven at t_3? This, of course, depends on what moral luck is. (But, to anticipate, *yes*.) Different conceptions of moral luck feature in the moral luck literature. Though some such conceptions might be nonstarters—for example, by making the existence of moral luck a trivial matter—we can distinguish two conceptions of moral luck that render the question of moral luck's existence philosophically and morally significant. I refer to these as the "restrictive" and "capacious" views. Both feature regularly in the moral luck literature, though they are not always explicitly distinguished (and though the latter is poorly defined). Accordingly, I distinguish in this section restrictive and capacious conceptions of moral luck and provide grounds for taking the capacious conception seriously. On the restrictive view, DIFFERENTIAL FORGIVENESS *can* be understood to feature moral luck, but this conclusion relies on the controversial assumption that one ceases to be blameworthy in being forgiven. On the capacious view, the conclusion that DIFFERENTIAL FORGIVENESS features moral luck follows less controversially. In either case, whether moral luck exists is a nontrivial matter.

4.1. Moral Luck

The Restrictive View: An agent's *moral responsibility*, that is, her (degree of) blameworthiness or praiseworthiness for some action, can be directly

determined at least in part by factors [causally downstream of her action] beyond her control.[11]

An important class of 'factors beyond one's control' discussed by philosophers is that of *unintended consequences*. If we limit ourselves to this class of factors for the moment, the restrictive view will be true if, for example, one of two equally reckless agents can be more blameworthy than the other owing to the unintended consequences of their reckless actions. Both agents exercise the same degree of control (and, we can stipulate, express the same attitudes, e.g., insufficient quality of regard) in performing the same action—say, preparing a dish with an ingredient known by them to have a 5 percent chance of producing severe kidney damage—but one may be, if moral luck exists, morally unlucky in that his reckless action caused some harmful but unintended outcome (e.g., a guest's kidney damage) that renders him *more blameworthy* (perhaps, considerably so) than his counterpart.

If we understand moral luck restrictively—where that which is determinable by factors beyond agents' control is restricted to blameworthiness and praiseworthiness—DIFFERENTIAL FORGIVENESS will presumably *not* be a case of moral luck. For DIFFERENTIAL FORGIVENESS takes for granted that A and B *are equally blameworthy* for their actions, and nothing that happens at t$_3$ seems capable of altering *this*. One's having been forgiven cannot render the agent non-responsible or less responsible for their action.

This, at least, is the standard view. That is, that the forgiven continues to be blameworthy after forgiveness (though it may be wrong *for the forgiver* to continue blaming them) is the standard view. But perhaps the standard view is false. David Owens (2012: 51) rejects the standard view, writing that "Once the wrongdoer has been forgiven in the relevant sense [by the victim], it is no longer apt for them to feel guilty and it is positively inapt for others to blame them; both resentment and indignation are now out of place." Since Owens understands blameworthiness in terms of the aptness of attitudes such as resentment and indignation, in claiming that forgiveness renders such attitudes inapt, Owens appears to claim that forgiveness dissolves (or can dissolve) the wrongdoer's blameworthiness, that is, render the wrongdoer *no longer* blameworthy. If, like Owens, one holds a *blameworthiness-dissolution view of forgiveness,* as we might call it, then we

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[11] Philosophers who understand moral luck in this way (without necessarily *accepting* that moral luck exists): Enoch and Marmor (2007); Hartman (2017); Zimmerman (1987; 2002); Domsky (2004). Nagel (1979) *arguably* belongs here, but see Hartman (2019: 144).

get the verdict that DIFFERENTIAL FORGIVENESS implies moral luck *in the restrictive sense*. (At least, this is so if one understands blameworthiness in terms of apt hostile emotions, reactive attitudes such as resentment and indignation). For if Anton, unlike Ben, continues to be blameworthy after t_3—that is, continues to be the apt target of blaming responses—given that factors beyond Anton's control account for his being blameworthy to a greater extent, Anton is morally unlucky, while Ben is morally lucky, in the restrictive sense. Here, the extent to which they are blameworthy is affected in DIFFERENTIAL FORGIVENESS.[12]

While not obviously *implausible*, the existence of restrictive moral luck and the blameworthiness-dissolution view of forgiveness are controversial. They are, moreover, more controversial than the premises needed to get from DIFFERENTIAL FORGIVENESS to moral luck. I do not assume their falsity in what follows, however. If one is attracted to the blameworthiness-dissolution view of forgiveness, the discussion that follows can be understood as identifying another way in which DIFFERENTIAL FORGIVENESS may give rise to moral luck, one compatible with, but not presupposing, the view that one ceases to be blameworthy upon being forgiven.

Even if blameworthiness and praiseworthiness are immune to factors beyond the agent's control, we will be susceptible to moral luck if the following is true:

The Capacious View: An agent's positive or negative *moral status* with respect to some action can be directly determined at least in part by factors beyond her control.[13]

I hasten to specify that 'moral status' is a technical term. Sometimes moral status (or *full moral status*) refers to a stable and heavy-duty property that moral agents possess in virtue of which they are moral equals or in virtue of which they have basic moral rights. By moral status I do not mean anything as robust as *this*. At the other extreme, 'moral status' can also refer to

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[12] Questions about diachronic blameworthiness have recently received attention. Among the factors proposed to dissolve or diminish blameworthiness across time are psychological disconnectedness (Khoury and Matheson 2018), the suffering of guilt (Carlsson 2022; Portmore 2022), and the fulfillment of reparative obligations (Tierney 2023). To the extent that any of these factors are beyond the control of the blameworthy agent, they too may imply the existence of moral luck.

[13] Explicit commitment to this view is found in Hanna (2014), Statman (1997; 2015), and Story (2019) (though Hanna refers to "moral standing"). Williams (1981) fits the bill, and Nagel (1979) *possibly* does (see Hartman (2019: 144) on the latter).

something highly malleable, for example, one's mere possession of duties of permissions. There is a sense in which my moral status changes when you grant me permission to use your bicycle. But by moral status I mean something stronger than this. A heavy-duty construal of 'moral status' renders the capacious view of moral luck implausible (and morally objectionable), while a weak or broad construal makes the existence of moral luck a trivial matter.[14]

For one's *moral status*, as I shall use this term, to be negatively affected is for one to be the target of a negative responsibility response that implies an unfavorable alteration of one's permissions, obligations, or interpersonal reasons (or, for short: one's "normative situation"). A positive change to one's moral status consists in a favorable alteration to one's normative situation that is implied by a corresponding positive responsibility response. When one's moral status changes, then, one undergoes a relational change in two respects: (i) permissions, duties, and interpersonal reasons are altered, and (this is implied by the fact that) (ii) one is the target of a responsibility response. We might prefer instead the term 'moral standing', as that which changes is 'how one stands', morally, with *respect to others*. But moral standing too has other meanings in moral philosophy. So, let us simply keep in mind that by 'moral status' I mean something relational, such that 'moral status' might be shorthand for 'relational moral status.'

I return to the definition of the relevant kind of moral status in Section 4.2. For now, observe that being blameworthy is a negative feature of one's moral status. So, *if* moral luck of the sort described by the restrictive view exists, so too will moral luck of the sort described by the capacious view. For to be blameworthy is to be the target of a negative responsibility response—that of blame—that implies a negative alteration in one's permission, obligations, or interpersonal reasons. At least, this is so if one understands—as I do in this chapter—moral responsibility in terms of *accountability*, such that one's being morally responsible for some action is in part a matter of others being licensed to hold one to account and as such to respond to one with demands and expectations.[15] Perhaps others also have reasons to distrust the blameworthy agent in certain domains or reasons to withdraw good will. Perhaps it is (pro tanto) *impermissible* to interact with the wrongdoer as if it's 'business as usual.' Perhaps the

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[14] Statman (2015: 98) goes too broad in including liability to social sanctions, defensive killing, and state punishment within the scope of moral status.

[15] I return to the significance of this commitment for my proposal in Section 5.

wrongdoer is (pro tanto) obligated (or at least has weighty reason) to apologize or offer redress. Whatever. Importantly, these changes in permissions, obligations, and interpersonal reasons are changes *implied by* the agent's being a target of a negative moral responsibility response, in this case, blame. This bears emphasizing. It is insufficient for one's moral status to be negatively altered merely that one's normative situation is altered. One's duties, permissions, and interpersonal reasons change in making promises, giving consent, receiving valid requests, etc., but these are not normative changes that *are implied by one's being the target of positive or negative moral responsibility responses.* For this reason, I am *not* morally lucky in the capacious sense if I am merely, say, granted permission to access your property. This is a favorable alteration of my permissions, but not one implied by my being the target of a positive moral responsibility response. Importantly, the implication relation is not to be understood as explanatory here. That is, it's no part of the proposal that the change in one's normative situation is *explained* by one's being the target of blame (/the responsibility response).

But, negative/positive moral status includes features beyond one's blameworthiness and praiseworthiness, and so moral luck in the capacious sense can exist even if blame- and praiseworthiness are immune to factors beyond one's control. For example, if it is fitting to feel agent-regret, this is plausibly a negative feature of one's moral status. Agent-regret, as introduced into the literature by Williams (1981), is the guilt-like response had by the faultless driver in virtue of his having acted in a way that resulted in the death of child. Importantly, for Williams, although the driver's being the agent of the harm licenses an anguished guilt-like response (agent-regret) that motivates the making of amends, he is not blameworthy. Being faultless—he was driving attentively, within the speed limit, etc.—he is not the fitting target of others' blame (1981: 28).

Positive or negative features of one's moral status may also include one's bearing a kind of (*not merely forward-looking*) responsibility for harms (or benefits) performed by members of groups to which one belongs. If responses like agent-regret can be fitting, there will arguably by similar guilt-like responses that do not presuppose personal fault that persons can fittingly feel owing to their group memberships.[16] Additionally, one might deny that reactive attitudes like resentment and gratitude are expressive of

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[16] On responsibility for harms caused by one's group, see Radzik (2001) and Isaacs (2014), and on the idea that agent-regret and 'relation-regret' are to be treated in like manner, see Enoch (2012) and Telech (2022).

moral blame and praise but nonetheless accept that they are *blame-like* and *praise-like*, respectively, and that they are fittingly sensitive to factors beyond their targets' control. If so, whether one is (more or less) resentment- or gratitude-worthy—assuming that this changes one's normative situation—may be a matter of moral luck on the capacious view.

Further, being the appropriate target of others' blame for (blame-endemic[17]) reasons apart from blameworthiness might also affect one's moral status. For example, of two equally blameworthy agents, one might live in a world where no one possesses the standing to blame them (e.g., because the blame would be hypocritical), which might constitute a comparatively positive contribution to their moral status. Assuming that the difference in others' standing to blame is beyond the control of the blameworthy agents in question, here too we may have moral luck in the capacious sense. I might be morally lucky in that others lack the standing to blame me. I address below why we might consider the above factors as determinates of a common kind of (positive or negative) moral status. Nothing hinges on taking *all* of the above candidates to be genuine determinates of moral status or on accepting that each can be determined by factors beyond one's control.

It is, however, essential to my proposal that *being forgiven* is a positive feature of one's moral status, while being unforgiven is a negative feature of one's moral status. To motivate this idea, consider that, by forgiving the wrongdoer, the forgiver is widely taken to change the normative landscape shared by the wrongdoer and the wronged. This idea is perhaps clearest on views according to which one exercises a normative power (or something like it[18]) in forgiving another. Here, forgiveness changes the deontic relations between the forgiver and the wrongdoer. Consider Christopher Bennett's (2018) view, on which, in granting forgiveness, the victim (i) can waive obligations the wrongdoer owes the victim (if they are undischarged) and (ii) puts herself under an obligation toward the wrongdoer to treat them as free of those obligations, committing herself "not to keep re-opening the matter but rather to bracket it, leave it in the past, and move

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[17] See n. 6 above.

[18] On some views, normative powers are restricted to capacities that are within one's direct control. If one assumes such a view of normative powers and also holds that certain (nonvoluntary) attitudes are constitutive of or necessary for forgiveness (as does Owens 2012), then, although one will not be exercising a normative power in forgiving another, one may, nevertheless, alter the normative relations between oneself and the wrongdoer, in the sense of interest to me.

on" (Bennett 2018: 229, 224). Dana Nelkin (2013: 175, italics added) similarly takes forgiveness to alter the deontic relations between wrongdoer and wronged, writing that "In forgiving one ceases to hold the offense against the offender, and this in turn means *releasing them from a special kind of personal obligation* incurred as a result of committing the wrong act against one."[19] The idea that the forgiver can relieve the wrongdoer of certain obligations and in turn gives up corresponding rights (e.g., to demand apology, engage in complaint, and the like) is present also on 'debt release' views of forgiveness, which liken the power of the victim to waive certain of the wrongdoer's duties to the power of the creditor to cancel the debtor's obligation to repay their debt (Warmke 2016a; Swinburne 1989: 74).

Common to all these views is that forgiveness makes a normative—specifically, a *moral*—difference. As Warmke (2016b: 688) puts it, "forgiving affects the operative standards governing how the victim and wrongdoer are morally obliged or permitted to regard and treat one another. After forgiving the wrongdoer, for example, it is no longer appropriate for the victim to treat the wrongdoer in certain ways (ways constitutive of blaming behaviours, perhaps)." Let me emphasize that I am simply taking for granted the view that forgiveness *is* normatively significant in this way. It is a substantive view, one that is rejected by theorists who understand forgiveness in wholly psychological or social terms, for example, as the mere overcoming of negative emotion or the mending of social relations.[20]

While the above focus on favorably altered deontic relations will be important for the general characterization of moral status offered below, when it comes to forgiveness, we often think of these alterations in interpersonally thicker terms, particularly, those of moral repair or restoration of moral relationship, etc. What is normatively significant in being forgiven, we often think, is that a previous rift in one's moral relationship has been repaired (Walker 2006; Griswold 2007: 49; Bell 2019; Murphy and Hampton 1988). When Vibek forgives Ben, Ben is not merely released from certain duties and possessed of claims against Vibek's reopening the issue; their relationship is restored or repaired. Something like this is at least plausible about paradigmatic cases of forgiveness, and we can suppose such relational repair occurs when Vibek forgives Ben. As I understand it,

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[19] See also Warmke (2016b); Bovens (2009: 231); Pettigrove (2004: 385); Twambley (1976).
[20] For a different kind of challenge to the view that forgiveness is normatively significant, see Russell (2023).

however, the reparative approach to the forgiveness's normative significance is not in tension with the above-described approach, which focuses on changes in various duties and permissions. Given the interpersonal nature of the relevant deontic alterations, along with their characteristically being expressive of (or present alongside) the forgiver's attitudinal changes (e.g., favorable changes in trust or good will) toward the wrongdoer, we can make sense of the idea that, in the case of forgiveness, to positively alter the normative relations between oneself and the wrongdoer by forgiving, one is effecting an essential step toward moral repair, that is, the restoration of a moral relationship. The point here is not that forgiveness improves *social* relations between the wrongdoer and victim. These relations can be improved without forgiveness, for example, if the parties simply *forget* about the wrongdoing. But forgetting is compatible with the wrongdoer's continuing to owe the victim various reparative duties and, as such, with an enduring impairment in the moral relationship.

It is worth noting that I am not assuming that forgiveness is essentially an overt activity. If wholly private forgiveness is possible, it may be that one's normative situation can be positively altered when the forgiver forgives privately. (While forgiveness is often communicated to the forgiven, there is no incoherence in the thought, "I did not know that you forgave me."). The present proposal is also officially neutral concerning the voluntariness of forgiveness. There may be affective components to forgiveness, such that one cannot forgive unless one undergoes some (nonvoluntary) affective shift. Nevertheless, forgiveness might have a volitional component such that it is not achieved unless it (or some part of it) is voluntarily granted. In short, while certain views of the nature of forgiveness might be more intuitively paired with the proposal that forgiveness is normatively significant, my aim is not to defend a particular view of the nature of forgiveness (including a view of what attitudes and actions might be constitutive of forgiveness). My concern, rather, is forgiveness's *normative profile.*

4.2. Moral Status

We are now poised to provide a definition of moral status which can be plugged into the capacious view of moral luck, according to which, recall, an agent's positive or negative moral status can be directly determined at least in part by factors beyond her control. I propose that:

for one's moral status to be positively (/negatively) affected is for one to undergo a favorable (/unfavorable) alteration of one's permissions, obligations, or interpersonal reasons implied by one's being the target of a positive (/negative) responsibility response.

I understand responsibility responses to comprise a class of backward-looking moral responses that are elements of our responsibility practices. This class centrally includes praise and blame, but also praise-like and blame-like responses, for example, gratitude and resentment (in case these are not understood as instances of praise and blame, respectively), and responses such as agent-regret and its possible opposite. Backward-looking responses that acknowledge and respond to the moral significance of one's blameworthiness, such as forgiveness, are also responsibility responses. Without taking a stand on the precise nature of forgiveness, we found above that a range of views characterize it as a positive responsibility response that implies the favorable alteration of one's permissions, obligations, or interpersonal reasons.

Notice that this conception of moral status does not make moral luck trivially true. For this technical sense of 'moral status' excludes many features that one *might* refer to with the same label but which moral luck skeptics will readily grant can be affected by factors beyond our control. For example, one might grant that factors beyond one's control can affect the *scope* of one's moral responsibility—what one is morally responsible *for*—without accepting that such factors can affect the *degree* of one's moral responsibility, that is, the degree to which one is praiseworthy or blameworthy (Zimmerman 2002: 560). While a change in the scope of one's moral responsibility might be described as a change in one's 'moral status,' this is not how I am using the term. A difference in the scope of blameworthiness does not make one the target of negative moral responsibility responses that imply the unfavorable alteration of one's permissions, obligations, or interpersonal reasons.

Next, the sense of moral status I employ also excludes factors that *merely* affect one's permissions, duties, and interpersonal reasons. To borrow an example from David Enoch (2019: 259), the fact that my neighbors are on vacation while yours are home with a light-sleeping toddler might make it impermissible for you, but not me, to have a party. While we could describe this as a difference in our moral statuses—after all, it concerns a difference in what we are morally permitted to do—this is not what I mean by moral status. Factors affecting what we are permitted or obligated to do are often

beyond our control; everyone should accept this, skeptics and affirmers of moral luck alike. These factors imply that there is *morally relevant* plain luck, not moral luck (Enoch 2019). Moral status, as I employ the term, consists in a change in one's permissions, obligations, or interpersonal reasons in a manner implied by one's being the target of a positive/negative moral responsibility response. This understanding of moral status, then, is not obviously susceptible to the charge that it, plugged into the capacious view of moral luck, makes the existence of moral luck a trivial matter.

4.3. From Differential Forgiveness to Forgiveness Luck

Now, assuming that being forgiven constitutes a positive change in the wrongdoer's moral status, DIFFERENTIAL FORGIVENESS provides us with a case of moral luck on the capacious view. For in DIFFERENTIAL FORGIVENESS, the factors that explain why B is forgiven at t_3, while A is not, are beyond the control of A and B. On the capacious view, then, Ben is morally lucky at t_3. Owing to factors beyond his control, he is the target of a positive moral responsibility response, namely forgiveness, that implies the favorable alteration of his permissions, obligations, or interpersonal reasons. If, owing to Vibek's forgiveness, Ben now, say, has a right to Vibek's leaving Ben's wrongdoing in the past, is free from (remaining) reparative obligations previously owed to Vibek, etc., Ben is indeed subject to positive moral luck in being forgiven.

It is outside of his control that he (unlike his normatively identical counterpart Anton) is forgiven at t_3. Owing to Ben's circumstances—circumstances beyond Ben's control—Ben's moral status includes the positive feature of his being granted forgiveness.

On the capacious understanding of moral luck, DIFFERENTIAL FORGIVENESS *might* be understood as a kind of circumstantial moral luck. If so, however, it is a novel kind of circumstantial luck, one for which we can designate the label, forgiveness luck. For, unlike standard cases of circumstantial luck (Nagel 1979: 29), where, of two dispositionally similar agents, only one faces (and blameworthily fails) some moral test that (only) his circumstances present him with (e.g., the judge who receives and accepts a bribe vs. the judge who *would have* accepted the same bribe if offered (Thomson 1989: 207)), in forgiveness luck, at issue is a change in the wrongdoer's moral status *after the fact of wrongdoing*. Though A and B perform the same action in identical circumstances, and so neither is subject to circumstantial

luck *at the time of wrongdoing*, B becomes morally lucky in being in circumstances where he is, in contrast to his morally identical counterpart, granted forgiveness at t_3.[21] Additionally, in contrast to ordinary cases of circumstantial moral luck, in forgiveness luck, the agent's moral status changes in virtue of the attitudes and actions of *another agent, toward him.* It is partly for this reason why, even if we might be inclined to understand forgiveness luck as instead a kind of *resultant* moral luck—after all, the wrongdoer's having the moral status he has at t_3 is, in a way, *a consequence* of his wrongdoing outside of his control—forgiveness luck is distinctive in that the agent's moral status (at least at t_3) is within an *agent's discretion* (particularly the victim's).

That forgiveness luck shares a common structure with resultant luck, however, indicates a dialectical payoff of reflection on forgiveness for the moral luck debate. For resultant luck is regularly rejected by responsibility theorists who accept other kinds of moral luck, for example, circumstantial and constitutive luck. According to quality of will theorists, for example, the objects of moral responsibility are limited to manifestations of one's quality of will. This limitation excludes consequences, as these are external to one's quality of will. But the quality of will theorist presupposes that one *has* a quality of will (and so, that it is constituted in some way which needn't itself be a product of one's quality of will) and that one has, in fact, manifested that quality of will, for example, in action (and so was in circumstances that allowed this). The quality of will theorist, then, does not endorse the thesis that one is morally responsible only for that which is under one's control. Rather, they restrict that for which one is morally responsible to one's manifestations of quality of will, which manifestations *require* factors beyond one's control to obtain, factors such as one's *having* a quality of will and external factors such as the circumstances in which one acts.[22] Forgiveness luck is dialectically interesting from this perspective because the quality of will theorist will not accept it by default, as they accept circumstantial and constitutive luck. For whether one is forgiven in cases of DIFFERENTIAL FORGIVENESS is external to one's manifestation of quality of will. And yet since forgiveness luck does not imply resultant moral luck in the *restrictive*

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[21] Perhaps, if preemptive forgiveness is possible, as per Cornell (2017), one can be subject to forgiveness luck prior to wrongdoing. Nevertheless, forgiveness luck is not luck in the moral tests that one's circumstances present and is, furthermore, distinguished by its being effected by an agent's responses toward one.

[22] See Arpaly (2003 169–171; 2006: 31–37). On the idea that the compatibilist is by default committed to circumstantial and constitutive luck, see Hartman (2016: 2258).

sense—where one's (degree of) blameworthiness is determined by factors external to one's quality of will—the quality of will theorist can accept forgiveness luck while continuing to reject the view that (non-agential) factors downstream of one's manifestation of quality of will can affect one's moral responsibility.

5. Objections

Two objections are worth considering. First, one might object that the capacious conception of moral luck changes the topic, such that forgiveness luck is only 'moral luck' by stipulation. For in the moral luck debate, so the objection goes, philosophers are interested in whether factors beyond an agent's control can affect that agent's (degree of) blameworthiness or praiseworthiness. But what it is for an agent to be blameworthy or praiseworthy is not a matter of anything like what agents are *licensed to do*, but a matter of fact concerning the agent's moral record, legible, in principle, from God's point of view. As Zimmerman (2002: 556) puts it, "when I say that a person is blameworthy, I shall mean that her moral record is adversely affected by some such fact." In treating moral luck as concerning negative and positive responses implying negative and positive changes in permissions, duties, and reasons, the capacious conception of 'moral luck' changes the topic to something like 'interpersonal luck'.

This objection assumes a conception of moral responsibility (as attributability) that is distinct from the conception of moral responsibility (as accountability) assumed in this chapter (see Section 4.1). What's more, many philosophers engaged in the moral luck debate are interested in moral responsibility qua accountability. For accountability theorists, to be blameworthy is to be 'worthy of' a particular kind of interest-affecting response from others, that of blame.[23] On this type of view, to be a morally responsible agent is in part to be a member of a community of agents who reciprocally hold one another to account via moral demands (for, e.g., a certain level of regard) and who put normative pressure on violators of those demands. That is, the accountability view is an inherently interpersonal view of the nature of moral responsibility. In addition to being a popular approach to moral responsibility, it is not unusual to treat questions of

[23] Strawson 2004; Watson 2004; Wallace 1994; Darwall 2006; McKenna 2012; Oshana 2004.

moral luck as concerning responsibility in the accountability sense.[24] As such, in its focus on interpersonal responses and positive and negative changes to permissions, duties, and reasons, the notion of moral status employed in the capacious conception of moral luck does not introduce a shift in topic.

Next, one might wonder whether the initial discussion of the electivity of forgiveness was necessary. Suppose that at t_3 forgiveness is *required*. In that case, while Anton will behave impermissibly in withholding forgiveness, won't Van nevertheless be *morally unlucky* in being unforgiven? Or suppose that at t_3 forgiveness is unjustified (and so impermissible); won't Ben nevertheless be morally lucky if he is forgiven? For presumably, even when unjustified, forgiveness positively modifies the wrongdoer's moral status. After all, other responses that change agents' normative situations need not be merited to do their normative work. For example, even if one does not merit my making them a promise or my giving them consent, I presumably change deontic relations between myself and my addressee in promise-making and consent-giving. But if forgiveness is like this, it seems one can be subject to forgiveness luck even if forgiveness is not even WEAKLY ELECTIVE.

First, it is not obvious that forgiveness *is* like promise-making and consent-giving in the manner assumed by the objection. For it is unclear what it is for a promise or consent to be merited. These responses lack the backward-looking quality characteristic of responsibility responses such as blame and forgiveness. To intelligibly make a promise (or give consent), although I must presuppose that my addressee possesses certain *capacities*, I do not need—as I do in order for blame, praise, forgiveness, and the like—to appraise some past agential contribution of that agent as calling for (or meriting) the relevant responsibility response. Additionally, even if it is possible to alter one's normative situation via unjustified forgiveness, forgiveness of this sort may be vulnerable to the threat of future *un-forgiveness*. For those who forgave *in error* may retain the ability to *take back* forgiveness and with it the positive normative alterations previously effected by forgiveness (Scarre 2016).[25] Thus, if Ben is forgiven, though this forgiveness is unmerited, assuming this counts as his being forgiven in error, the positive change in moral status Ben enjoys will be precarious

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[24] e.g., Hartman (2017: 32).
[25] See Wonderly (2021) for sustained discussion of un-forgiveness.

in a way that it would not be when his forgiveness is merited, as it is in cases of DIFFERENTIAL FORGIVENESS.

6. Conclusion

Proceeding from the assumptions that forgiveness is at least sometimes elective and that it changes the normative relations obtaining between the victim and the wrongdoer, I proposed that our practices of forgiveness are subject to an overlooked form of moral luck, *forgiveness luck*. I introduced forgiveness luck via reflection on the phenomenon of DIFFERENTIAL FORGIVENESS, where, of two equally culpable and remorseful agents, one is forgiven and the other not, and both justifiably so (assuming that forgiveness is WEAKISHLY ELECTIVE). Forgiveness luck does not, unless forgiveness can dissolve blameworthiness, qualify as moral luck on the *restrictive* conception of moral luck according to which an agent's moral responsibility, that is, her (degree of) blameworthiness or praiseworthiness for an action, can be directly determined by factors beyond her control. But I outlined and provided motivation for another, capacious, conception of moral luck, according to which an agent's positive or negative *moral status* can be directly determined by factors beyond her control, where changes in moral status are positive or negative alterations in one's permissions, obligations, or interpersonal reasons implied by one's being the target of a positive or negative responsibility response. On the assumption that forgiveness alters the deontic relations linking the wrongdoer and the victim, this understanding of moral status issues the verdict that one may be subject to moral luck in being forgiven. The proposed understanding of moral status also avoids rendering the existence of moral luck a trivial matter, as it preserves the distinction between moral luck and morally significant plain luck.[26]

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