

# Relation-Regret and Associative Luck

## On Rationally Regretting What Another Has Done

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### 1. Introduction

Serious harms to others caused by persons dear to us—even when those harms are not traceable to culpable acts or omissions of our own—seem to have a special normative significance for us. We regret such harms, but we regret them in ways that differ markedly from the regret felt by uninvolved spectators. To focus on two severe and illustrative types of examples, consider the regret felt by (grand-)children of war criminals and by parents of school-shooters. Though (or, even when) they acknowledge that they are not personally at fault for the harms caused by those dear to them, the regret they express may be characterized by guilt-like thoughts, motivations to make amends, and the seeking of forgiveness (or something like it) (Klebold 2016; Ze’evi 2011). Assuming that guilt is a painful attitude that represents oneself to be at fault for violating a moral norm (Lazarus 1991, 122; Cole et al. 1992; Lewis 2000; Clarke 2016), and stipulating that the related agents do not represent themselves thus, their responses cannot be ones of guilt. Still, there would be something amiss if these agents simply and immediately insisted on the fact of their faultlessness, occupying the regret of a spectator, ignoring thereby the reparative significance that their responses may harbor. Though these agents are not at fault—and so are blameless in a central sense of blameworthiness—their guilt-like responses seem to get *something right*, normatively speaking. This claim, of course, is controversial; I seek to substantiate it in what follows.

On the basis of cases involving guilt-like responses like those described above, together with attention to the normative features to which these responses are plausibly sensitive, I argue that the phenomenon underlying Bernard Williams’s (1981) notion of “agent-regret” has been misdiagnosed—or at least, subject to too individualistic a focus—by Williams and other philosophers. Williams introduces “agent-regret” to refer to the pained response agents have for harms they have caused, even when those harms were not caused intentionally. In an example presented in “Moral Luck,” Williams (1981) has us imagine a driver who, through no fault of his own—he was driving attentively, within the speed limit, etc.—fatally hits a child who darts onto the road. Importantly, the driver is not morally responsible for the child’s

death. It is not his fault, as it would have been had he been driving with murderous intent, or recklessly, or negligently, etc. The driver is like the bystander in this respect; neither is at fault for the death. Since the driver is faultless, he is intuitively blameless. For, given that the child's death is not his fault, it is not something for which he can be morally responsible or, by extension, blameworthy. As such, the driver cannot be the fitting target of blaming responses like resentment or its reflexive counterpart, guilt. Causally responsible though the driver is, causal responsibility, as we all know, is insufficient for moral responsibility.

*But*, claims Williams, we would expect the driver to have a response that differs essentially from the spectator's, where this expectation is both predictive and normative. That is, firstly, it would be natural for the driver, but not the spectator, to experience a *guilt-like* attitude in virtue of his being the one who killed the child, and for the driver to be motivated thereby to personally make amends for the serious harm he caused (Williams 1981, 27).<sup>1</sup> That is, it is natural for the driver to experience "agent-regret." Though faultless, it is open to the driver but not the spectator to have the ethically non-trivial thought, "I killed him," along with the wish that he had acted differently. Are these thoughts, however, not indicative of the driver's uncertainty concerning his faultlessness? Might he not wonder whether he was, say, negligent in his driving, and so, blameworthy (to a degree) after all? Maybe, but as claims Williams, we would expect the response of agent-regret to remain even once such thoughts were, perhaps with the reassurance of others, put to rest. For, while the driver does not, let us grant, ultimately represent himself to have violated an obligation (or to be otherwise at fault), and so cannot resolve to *do better* vis-à-vis some obligation (at least not as a way of *correcting* his previous moral decision-making), the thought remains that *he* killed the child; the child died by his action. This thought pains and motivates him in a manner not 'guilt-identical' but guilt-like.<sup>2</sup>

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<sup>1</sup> Guilt's motivational tendencies are typically taken to include the motivation to make amends and repair relations with the victim. See e.g. Lindsay-Hartz et al (1995); Leith & Baumeister (1998); Gilbert (2003, 1224).

<sup>2</sup> Difficult methodological questions concerning emotion-individuation are in the offing. For instance, how are we to determine whether cases like that of the faultless driver speak in favor of a) positing a novel kind of emotion, namely agent-regret, rather than b) expanding the formal object of guilt to somehow include faultlessly harmful actions? (See Jacobson (2013) for detailed discussion of this worry). The urgency of this kind of question is diminished by noting that Williams's chief target in "Moral Luck" is the "morality system" (more on this below), according to which the driver's response is irrational, *regardless of how we classify the emotion*. It is partly for this reason, and partly because Williams later claims that "[t]he agent-regret [he] described... can be psychologically and structurally a manifestation of guilt" (Williams 1993b, 92–93), that I doubt that Williams is wedded to the idea that "agent-regret" picks out a unique emotion-type. Unlike the elucidation of an overlooked and significant feature of moral experience, securing an adequate taxonomy of the emotions is not among Williams's primary aims. Still, supposing that guilt is about faults and motivates *correction* of previous moral decision-making (or some other moral self-revision), I don't think distinguishing between agent-regret and guilt is ad hoc. See Zhao (2020, 298) for disagreement.

It is not just that agent-regret is a natural response in that it is *statistically likely* in cases like those of the faultless driver. Agent-regret appears to be a rational response for the driver to have. The attitude somehow gets things, the normative things, right.<sup>3</sup> Differently put, it is intuitively *fitting* for the driver (but not the bystander) to feel this special attitude of agent-regret, where the ‘fittingness’ of an attitude amounts roughly to its being a *correct* way of representing that which the attitude is about (D’Arms and Jacobson 2000). (We will turn below to what it could be that agent-regret represents such that it represents correctly.) In addition to thinking that agent-regret is fitting for the driver, one might hold that there’s a sense in which the driver *should* have a response of agent-regret, such that there would be something criticizable in the driver’s response were he merely to occupy the regret of the bystander. My focus in what follows, though, is on agent-regret being appropriate in the sense of its being fitting for the driver to have.

Williams and others (e.g. Baron 1988; Tannenbaum; 2007; Raz 2012) take agent-regret to be fitting in cases like that of the faultless driver, where the fittingness of this response is explained by facts about agency, i.e. that it was the driver who, albeit without intending to do so, acted in such a way as to cause the relevant harm—i.e. *that he was the agent*. An underlying assumption here, sometimes briefly brought to the fore, is that one’s being the agent who causes some harm is normatively significant in virtue of the fact that one’s being a causal agent is a central component of *who one is, practically speaking*, i.e. of one’s practical identity (Williams 1981: 29; 1995, 32). But, if agent-regret is fitting, when it is, owing in part to causal agency being an expression of one’s practical identity, then we might expect different kinds of “faultless blows” to our practical identities to render fitting responses structurally similar to agent-regret. Responses of this sort, I propose, are sometimes ascribable to those personally related to agents who are responsible for serious harms, like genocidal war crimes and school shootings.

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<sup>3</sup> That is, although the presence of agent-regret provides us with evidence for thinking that a guilt-like response is fitting here, it is far from conclusive on its own. To illustrate, though survivor guilt may be statistically likely in certain conditions, it remains intuitively unfitting. Or rather, even if agent-regret and survivor-guilt are equally likely responses to their characteristic elicitors, we need not conclude these responses are on equal footing concerning fittingness. Survivor guilt might differ from agent-regret in presupposing the truth of a thought that is natural to have, but which is false, e.g. that “I took another’s place by surviving; he died so that I could live.” Consider Primo Levi’s (VM, 254) description of survivor guilt as, in part, “the feeling of being alive in someone else’s stead.” (See Modell (1971, 340) for an explanation of survivor’ guilt that attributes to the survivor (implicit or unconscious) zero-sum thinking about the distribution of goods.) I am indebted to Szigeti (2015) in thinking of Williams’s argument (and my own) as *emotion-guided* (such that emotions guide us in providing defeasible evidence for normative conclusions) rather than *emotion-based*, such that “emotions are our highest court of appeal” (Szigeti 2015, 18).

When a person dear to oneself has caused another grievous harm, although one is not the agent of that harm, in virtue of one's *identifying with* the agent (we'll get to what this comes to), one is open to regretting the harm in a manner importantly distinct from the bystander. One may experience what I call "relation-regret," a response that shares affective and motivational profiles with agent-regret. While our susceptibility to agent-regret reflects that "in the story of one's life there is an authority exercised by what one has done, and not merely by what one has intentionally done" (Williams 1993b, 69), our susceptibility to *relation-regret* reflects that in the story of one's life there is an authority exercised by what *we* have done—or alternatively, by what *another-to-whom-I'm-bound* has done—and not merely by what *I* have done.<sup>4</sup>

If we accept relation-regret into our moral psychological repertoires, we acquire reason to accept a novel form of moral luck, i.e. *associative luck*. This is the luck of being vulnerable to morally reparative and guilt-like responses in virtue of one's attachments to other persons. Given (or to the extent) that they are faultless, the grandson of the murderous war criminal and the parent of the school shooter are morally unlucky; the fittingness of their guilt-like responses depends in important respects on the harm caused by another's actions, actions beyond the control of the relation-regretting person. Associative moral luck shares with its better-known cousin, resultant moral luck, an opposition to the "morality system" (Williams 1985, ch. 10), our modern moral outlook, which, fueled by an ideal of ultimate fairness (Williams 1985: 195), ascribes supreme value to exercises of pure moral agency: voluntary actions performed in recognition of one's moral obligations.<sup>5</sup> Unlike much else in one's life, exercises of pure moral agency are meant to be free from external influence and contingency, and as such, provide grounds for the kind of evaluation of agents that *really matters*: moral appraisal. The morality system's insistence on the relative insignificance of the involuntary is challenged by attention to cases of resultant luck. Associative luck, I propose, challenges the morality system's insistence that only *one's own* expressions of agency are of ultimate importance for oneself. An individualistic ethical outlook is its target.<sup>6</sup>

I proceed as follows: In section 2 I present in greater detail the phenomenon of agent-regret, illustrating the connection Williams and others identify between agent-

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<sup>4</sup> As I discuss in sec. 3.3, though these formulations are non-equivalent, relation-regret can be characterized as a response either to 'our' doing (even when no joint action or group agency is implied), or to the doing of 'another to whom I'm bound'.

<sup>5</sup> I return to this briefly in sec. 3, but for attentive treatment of the morality system, and discussion of its "building blocks," which answer to generic human needs and can be understood as taking their particular, distorted, form in the morality system relative to the drive for ultimate fairness, see Queloz (this volume).

<sup>6</sup> The morality system's individualism is implicit in its focus on the voluntary, for it is implied that a *single agent's* voluntary agency is the locus of their moral status.

regret and resultant moral luck. In section 3 I introduce two cases of guilt-like responses about harms that are not the consequences of *one's own actions*, but were instead perpetrated by members of one's family. I label the relevant response *relation-regret*, and propose that this first-personal response characteristically corresponds to responses of negative partiality on the part of the victims (and those personally related to them). After considering whether we may be vulnerable to relation-regret in virtue of our membership in larger groups, I argue in section 4 that those who take the existence of agent-regret to speak in favor of accepting resultant moral luck face pressure to accept a form of moral luck that is implied by relation-regret, namely associative luck. This is the luck of being vulnerable to pained moral responses in virtue of one's attachment to other persons. Though potentially tragic in their implications, the conditions underlying relation-regret are the very same that, in other contexts, give considerable meaning to our lives. By appreciating the ways in which our practical identities are simultaneously social identities, doubt is cast on the desirability of rendering oneself immune to the pains of relation-regret.

## 2. Agent-Regret and Resultant Moral Luck

This section provides an overview of agent-regret, as introduced by Williams (1981) and further specified by others, and further outlines the connection between agent-regret and resultant moral luck.<sup>7</sup> Agent-regret is an emotional response that is defined by its constitutive thoughts and by its characteristic expression. Consider Williams's example of the faultless truck driver who kills a child that darts onto the road. The driver is faultless in the sense that his fatally hitting the child is not explained by any moral shortcoming of his. He did not act in a way that constitutes a violation of a moral obligation, as he would have had he hit the child from malice, out of recklessness, or negligence. All precautions of a good driver were taken. Nevertheless, we think, claims Williams, that it would be fitting for the driver to have a pained response that differs from that of the bystander. While the driver and the bystander will both feel regret, in the sense of being pained that the child died and wishing things had happened otherwise, we expect the driver's negative response to be about this event *qua* something *he did*. The driver's regretful response is characterized by the wish that

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<sup>7</sup> I focus on a central form of luck-involving agent-regret, namely that directed toward the unintended and unforeseen consequences of one's action. Another form of agent-regret plausibly characterizes the guilt-like response one might have for performing one of multiple seriously harmful or (pro tanto) wrong actions, among which the agent must choose. See Williams (1973, 172–173) and Baron (1988, 263–264). I put aside also the issue of “conditional agent-regret” as raised by Williams's examples of Karenina and Gaugin. See Lang (2019) for discussion.

*he had acted* otherwise. Williams introduces the term “agent-regret” to refer to a species of regret that “a person can feel only toward his past actions” (Williams 1981, 27). As Marcia Baron (1988, 261) puts it “[t]he pain that the driver feels about what happened is not just pain about *that*. He was centrally involved in what happened; indeed, he was the agent. That *he was the agent*, even though what he did was unintentional and even unforeseeable, is ineliminably a part of what he feels.” In being a pained reflexive attitude felt in response to the negative impact of one’s action on another, agent-regret is like guilt—it is guilt-like.<sup>s</sup>

Agent-regret is also guilt-like in its expressive tendency, which involves the agent’s being motivated to personally make amends for the harm caused. This is a motivation not only to offer compensation, as one might if one merely took oneself to be legally liable for some injury. Rather, in regarding his harm-causing action “internally,” the agent of agent-regret is motivated to address and offer redress to the victims, such that, “(if he is lucky) his actions might have some reparative significance other than compensation” (Williams 1981, 29). While the bystander’s regret might move her to express sympathy and offer support to the victims, agent-regret includes a *reparative* desire, i.e., “a desire to make some sort of reparation” (Statman 1993, 6), “a desire to repair, to undo what one did or come as close to that as possible” (Raz 2012, 139), a “desire to personally make amends” (Sussman 2018: 789). In its concern with victims and making amends personally, agent-regret is guilt-like.

Williams’s discussion of agent-regret aims for more than descriptive adequacy. That is, in addition to predicting that agents like the truck driver will ordinarily respond with agent-regret, Williams takes this to be the *appropriate* response, such that it would be inappropriate for the driver to respond to the child’s death with regret no different from the bystander’s (Williams 1981, 28; 1993a, 256). Williams himself speaks of its being “rational” to respond with agent-regret in cases like the driver’s (Williams 1981, 22, 29; 1993b, 92-3). In suggesting that the driver would be criticizable for failing to respond with agent-regret, Williams presumably means something quite strong by “rational” (e.g. “rationally required,” not just “rationally permissible,” though it’s doubtful Williams would put it thus). To focus our discussion, however, we can proceed with a more limited understanding of what it is for agent-regret to be

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<sup>s</sup> Williams (1981, 27, cf. 28, 29) emphasizes that agent-regret is first-personal not only in being *about* one’s own action (presumably also, represented in a *de se* mode of presentation, i.e. *as mine*), but further, regarded *not* “purely externally, as one might regard anyone else’s action,” but, as Williams implies, *internally*. Williams is quiet on the details here, but associates this internal view with the agent’s being motivated to *personally make amends*. Presumably, however, the internal nature of agent-regret will be explanatorily prior to the kind of expression it motivates. By describing agent-regret as *like* guilt—the pangs-of-conscience of which are internal in a manner answering to the above characterization—I think we home in, however inadequately, on the relevant kind of “internality.” See Wojtowicz (2018) for discussion of what this talk of an “external view” (and its implied contrast) may come to.

appropriate, namely that agent-regret *correctly represents* its objects, i.e. is *fitting* (D'Arms & Jacobson 2000).

But, given that the driver is not at fault (Williams 1981, 28), in virtue of what can his agent-regret be fitting? The skeptical worry here is that the guilt-like nature of agent-regret threatens to render the driver's response unfitting. If agent-regret is *too much* like guilt, it will be difficult to understand as a response that does not somehow represent oneself as being at fault, in which case it will represent incorrectly, and so, be unfitting. The skeptic about agent-regret's fittingness might provide a debunking explanation for the regular occurrence of agent-regret in such cases, e.g. by pointing to the practical stakes involved and to our epistemic limitations.<sup>9</sup> While an omniscient being might know that the driver is faultless, perhaps the driver himself is unable to rule out that he is somehow at fault. *Maybe*, the driver might think, there were further precautions that he ought to have taken prior to driving. If the driver cannot rule these out, it may be that the driver is justified in doubting his faultlessness. If so, though his agent-regret will incorrectly represent, it will be understandable. Furthermore, we might think that although agent-regret is unfitting, it is nevertheless *admirable* or otherwise valuable for the driver (and others in similar high-stakes situations) to respond with agent-regret, *feeling and acting responsible* when their agency is implicated in serious harms (Wolf 2001, 13; Jacobson 2013, 114).<sup>10</sup>

These worries are difficult to put to rest. Rather than attempting to do so directly, I turn to Williams's answer to the question, *in virtue of what is agent-regret fitting?* Williams's idea is that the products of our agency, even when they are involuntarily produced, have a special significance for us. While it is possible to understand Williams as claiming that it's simply a brute fact that it's fitting to respond with agent-regret in cases like the driver's, I think Williams's view is richer here. In considering the possibility and rationality of divesting our psychologies of the disposition to respond with agent-regret in cases like the driver's, Williams claims that this proposal betrays a "large falsehood: that we might, if we conducted ourselves clear-headedly enough, entirely detach ourselves from the unintentional aspects of our actions...and yet still *retain our identity and character as agents*" (Williams 1981, 29, italics added). I take Williams's idea to be something like this: who one is, in the sense of one's identity that matters to the meaningfulness of one's life, surpasses the boundaries of one's voluntary agency. I employ the term "practical identity" to refer to what Williams appears to have in mind in discussing "our identity and character as agents" (Williams

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<sup>9</sup> See e.g. Richards (1986, 171, 177); Thomson (1993, 205); Enoch & Marmor (2007, 415, 418)

<sup>10</sup> Additionally, we might think that a valuable social function is served by a practice whereby victims assign, and those who harm adopt, the role of the 'bad guy'. See MacKenzie (2017).

1981, 29).<sup>11</sup> Williams appears to take there to be an important connection between a) having aims and ideals that constitute one's practical identity, and b) one's practical identity being expressed in, and sensitive to, far more than what one does voluntarily.<sup>12</sup> While Williams does not commit to there being a *necessary connection* between a) and b) (such that having a practical identity, all by itself, guarantees being concerned about the non-voluntary products of one's agency), he says of the "mature agent" (Williams 1995, 32) that this "agent lives with the truth that his character, what he is, is neither a deliberative construct of his, nor fully expressed in his deliberation. Indeed, he lives from that truth." A promising way to understand this thought is that one's practical identity sets for one various ideals and evaluative standards, which speak in favor of one's making a material impact on the world in some particular ways (and against impacting the world in other ways), where one's making thus an impact is irreducible to the impact one makes intentionally.

This, at any rate, is roughly the view proposed (or implied) by several of those who follow Williams in taking the truck driver's agent-regret to be fitting. That is, agent-regret is sometimes taken to be a fitting response to the driver's own failure to live up to his values or ideals (e.g. Bagnoli 2000; Betzler 2000; Raz 2012; Tannenbaum 2007; Wallace 2013). While the driver did not set out to do so, it is nevertheless true of him but not the bystander, that *he killed* the child. It will be understandable if his having done so, albeit non-voluntarily, conflicts with the values underlying his practical identity. As Joseph Raz writes, in discussing the truck driver, "the agent regrets having become, through the action, someone he would rather not be. The person who runs over a child, through no fault of his own, and kills him, becomes a killer, someone who killed a child, and he regrets that" (Raz 2012, 142). One's practical identity is constituted in part by the ends one adopts, and one's various agential achievements, but we can fall short of our values and ideals even when our falling short is not our fault. If we assume that these kinds of "non-voluntary things" can have ethical significance for one in virtue of the fact that they impact one's practical identity, it may be intelligible that agent-regret is fittingly felt in cases like the truck driver's.

Suppose, with Williams and others, that agent-regret can be fitting in cases like the truck driver's. This might appear to give us a troubling result. For, although agent-regret is not identical to guilt, its guilt-like qualities (e.g. its motivating the agent to

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<sup>11</sup> Though this term is often associated with Korsgaard (1996), it should be clear that I do not take on board (or attribute to Williams) Korsgaard's commitments concerning the relation between morality and practical identity (e.g. the fundamentality to rational agents' practical identities of thinking of themselves as members of the 'Kingdom of Ends'). I say more about what I mean by "practical identity" in 3.3.

<sup>12</sup> As Williams uses the term, one's "character" is constituted in large part by one's "set of desires, concerns, or, as [Williams] shall often call them, *projects*" (Williams 1976, 5, italics added).



personally make amends) presumably qualify agent-regret for inclusion in the class of negative responses that are in the ballpark of blame. I label this broad class, *blame-like* responses, where this class includes *guilt-like* attitudes (e.g. agent regret), along with guilt and paradigmatic other-blaming responses (e.g. moral anger/resentment and indignation). To hold, with Williams, that we can be subject to blame-like responses on the basis of factors that are not voluntary expressions of our agency is to accept that we are vulnerable to *moral luck*. And, to accept that the truck driver's (but not the bystander's) agent-regret would be fitting is to accept a particular form of moral luck, resultant moral luck (Nagel 1979, 28), according to which the uncontrolled, and so "unlucky" results of one's actions can render one the fitting object of blame-like responses.

In the recent literature on moral luck, moral luck is often understood more narrowly, as the view that factors beyond one's control partially determine whether, or the degree to which one is, blameworthy (and not just worthy of *blame-like* responses). This narrow view is sometimes referred to as the "[t]he *Standard View* of moral luck" (Hartman 2017, 23).<sup>13</sup> While there may be good reasons to frame the issue of moral luck as concerning blameworthiness, it is worth noting that both Nagel and Williams understand the issue more broadly. In his discussion of moral luck, Nagel (1979) refers regularly to "moral judgment" and "moral assessment" (more so than to blameworthiness) as that which is sensitive to factors beyond agents' control.<sup>14</sup> Moreover, if we adopt the narrow construal of moral luck, we get the result that Williams denies that the truck driver is subject to moral luck. After all, Williams's point (or one of them) is that the driver is open to a certain kind of negative self-directed attitude (agent-regret) *despite its being the case that spectators would not and should not blame him* for killing the child (1981, 28). That is, Williams denies that the driver is narrowly blameworthy for running over the child. Does Williams, then, fail to "accept moral luck"? While Williams's original use of the term "moral luck" *was* meant

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<sup>13</sup> Though the literature on moral luck has its 20th-century roots in Williams's and Nagel's *Aristotelian Society* symposium "Moral Luck" papers, it skews strongly Nagelian in being framed as a paradox arising from two compelling but incompatible intuitions, namely "the control condition" (i.e. the principle according to which one can be morally responsible only for that which is under one's control), on the one hand, and on the other, the seemingly obvious relevance, in individual cases, of luck for judgments of moral responsibility. Indeed, several papers on moral luck written in the wake of the Williams/Nagel symposium are effectively responses to, as Richard (1986, 180) refers to the issue, "Nagel's paradox" (see also Jensen 1984). For a similar point, see Lang (2019, 129-131). I thank Matt Talbert for raising this issue.

<sup>14</sup> Indeed, Hartman (2019, 144) attributes to Nagel a broader definition of moral luck, according to which uncontrolled factors can affect an agent's "moral status." As Hartman maintains, this broad view is *too broad*, as it can be endorsed by *opponents* of moral luck, e.g. those who claim lucky factors can affect the *scope* (but not degree) of one's moral responsibility (Zimmerman 2002, 560). "Moral assessment," however, a phrase Nagel employs regularly (unlike "moral status"), can plausibly be understood more restrictively than "moral status," but more broadly than blameworthiness (/praiseworthiness).

oxymoronically (1993a, 251), in connecting agent-regret with the action-tendency of personally making amends, Williams takes agent-regret to be importantly *like guilt* in practical respects. In other words, Williams takes the truck driver to be open to blame-like responses despite his faultlessness, and as such, to be subject to resultant luck.

The above discussion of agent-regret and its connection to moral luck is not intended to convert nonbelievers, i.e. those opposed to the idea that agent-regret may be fitting, and that we are therefore subject to a kind of resultant moral luck. Or rather, its success in what follows does not depend on this kind of conversion. For, the argument that follows proceeds from accepting this idea about the connection between agent-regret and moral luck. I argue that by attending to the social nature of our practical identities, we can make sense of a blame-like response that is analogous to agent-regret, but which is directed not toward to the unintended consequences of one's own actions, but toward the actions of another.

### **3. Relation-Regret**

Something importantly like agent-regret can be had about actions that are not one's own, but another's, when that other is an agent with whom one identifies as a fellow group-member. A suitably restricted understanding of the relevant kind of "identification" will be necessary to make sense of this claim; stay tuned. In this section I try to make good on the previous claims by discussing two family-based examples of the target phenomenon, which I go on to call "relation-regret." Next, I appeal to the social nature of our practical identities to locate fittingness conditions for relation-regret. Finally, I consider membership in larger and more diffuse groups than those of family-membership (e.g. citizenship), with the goal of gauging the scope of relation-regret's possible objects.

#### *3.1 The case of Sue and Dylan Klebold*

Sue Klebold's son, Dylan Klebold, was one of two students responsible for the Columbine High School massacre. Before the pair committed suicide, Dylan Klebold and his friend, Eric Harris, murdered 12 students and a teacher, injuring with gunshot wounds more than 20 others, some of whom would become paralyzed, and more still traumatized. In addition to its direct impact within the locale of Columbine, the shooting is regarded to have "set the blueprint for a generation of attacks" (Neklason 2019). We can assume that Dylan Klebold (with Harris) is at fault and morally blameworthy for orchestrating and carrying out the murder of several of his

schoolmates and a teacher, and for seriously injuring many others.<sup>15</sup> Dylan took part in the planning of the massacre, acquired and brought to school the weapons, and voluntarily and knowingly opened fire on a number of people who would thereby die or become seriously injured. Sue Klebold did none of these things, nor did she endorse Dylan in his plans. (Like much of the rest of the Columbine community, Sue was shocked to learn of the massacre and also shocked to learn of the identities of its perpetrators, *though not because she was negligent in her parental duties*—we will return to this). Ordinarily the truth of the claim “I didn’t do it” serves to undermine the claimant’s grounds for taking responsibility for *it*. But if Mrs. Klebold responded thus regarding her son’s actions, this would be perceived, at best, as beside the point, and more likely, as a way of evading what it is for her to be the shooter’s parent. Or, at least, a special kind of regret seems open to her in virtue of her being the parent of a shooter.

The above will seem obvious if we assume, as it may be difficult not to, that Sue bears some fault for the massacre; *surely she must have known — or should have known*—what her son was up to. While it is possible that Sue is indirectly at fault, e.g. for the way she raised Dylan, or for failing to be sufficiently attentive in the period leading up to the shooting, etc. this is neither entailed by her son’s conduct, nor is it probable given the evidence.<sup>16</sup> It is an illusion to think that the crime of the child is always traceable to a blameworthy act or omission by the parent or caregiver. Sue Klebold seems not to have been a negligent parent. By all accounts, she appears to have been a loving and caring mother to her children. But as Sue writes in her memoir, *A Mother’s Reckoning*, “[a]s bottomless as my love had been, it had not been enough to save Dylan, or his victims” (Klebold 2016, 268). For the time being, grant that Sue is indeed not morally at fault, even indirectly, for the shooting. (I address the worry shortly that Sue’s causal contribution to the massacre might suffice to explain the phenomenon at hand—it cannot.)

Though she recognizes that she is not at fault for the massacre, Sue reports feeling guilt for her son’s actions. “In the days after Columbine,” she writes, “I filled notebook after notebook with words in an effort to process my confusion and guilt and grief” (Klebold 2016, 19). While Sue does not take herself to be at fault, neither does she disavow her self-punitive attitudes. Furthermore, Sue states that among the

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<sup>15</sup> If the reader doubts this on the grounds that Dylan was aged 17 at the time of the shooting (while Harris was 18), we can modify the case such that, by stipulation, the shooting takes place 5 months later, and Dylan is indeed 18. We can also stipulate for our purposes that Dylan Klebold was not morally incompetent, e.g. a psychopath.

<sup>16</sup> “Investigators... concluded that both sets of parents were ‘normal people who seem to care for their children and were involved in their life,’ and they too ‘were fooled like everyone else.’” (Gibbs & Roche 1999, via Sepinwall 2017).

reasons for writing her memoir was the desire to *apologize* to the victims of her son's actions:

I wanted to apologize to the families in person at the depositions, but our lawyers didn't agree. "This isn't the time or place," I was told. I wish I had fought harder to say those words. I believe their absence was deeply felt by everyone in the room, and continues to be, to this day. Saying I am profoundly sorry is one of the reasons I wanted to write this book.

(Klebold 2016, 279)

While guilt-like feelings, together with the desire to apologize, would be unfitting (if even intelligible) for uninvolved parties, Sue's being the shooter's parent—where parenthood is understood as more than a biological relation (more on this soon)—might strike us as normatively significant in a way that renders intelligible this kind of response. More strongly, although Sue is not at fault for the harms caused by Dylan, there would be something manifestly deficient in Sue's response if it was, say, limited to grief over the loss of her son. Sue's memoir abounds with expressions of grief over the loss of her son, e.g. "we all grieve first the ones we love, and Dylan was my son"; "[m]y grief for Dylan was at the heart of everything" (Klebold 2016, 42, 75). But, if her pained responses to the shooting were limited to those of the sort had by the victims and their families—responses like grief and regret (in the sense of wishing things were otherwise)—Sue would seem to be incorrectly appraising the normative landscape.<sup>17</sup> For, even if Dylan's actions are not her fault, this fact would seem not to undermine the rationality of her guilt-like responses, given that Dylan is her son. Although she is not their author, the harms are in some sense hers, in a way they cannot be for the spectator.

One sign of Sue's appreciation of the normative significance of her relation to the shooting is found in the reparative significance of Sue's interactions with family members of her son's victims:

We have had some contact with a few of the victims' family members over the years, and I believe it *was* healing, for both parties. The father of a boy who died reached out to us about a year after the tragedy. We invited him to our home in December 2001. I was stunned by his generosity of spirit and found great relief in being able to apologize to him in person for Dylan's actions, and to express our sorrow for his terrible loss. We wept,

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<sup>17</sup> See Hutchison (2019) for discussion of parents who subsequently apologized for having conveyed responses of grief to the exclusion of (something like) relation-regret for the massacre-suicide of their child. Thanks to Daniel Story for bringing this example to my attention.

shared photos, and talked about our children. When we parted, he said he didn't hold us responsible. They were the most blessed words I could have hoped to hear him say. (Klebold 2016, 277)

It may be that in saying that he does not hold Sue responsible, the father thereby provides Sue with reason to believe (or to strengthen her belief) that she is not culpable for Dylan's actions.<sup>18</sup> Perhaps this is part of why Sue takes such great comfort in the father's words. But Sue describes interactions like those above not as "elucidating," say, but "*healing*, for both parties." More importantly, even if part of the value for Sue of the above kind of interaction was evidentiary, Sue's memoir is written as an apology to the victims despite its being written from a position of justifiably believing, and presumably knowing, that Sue is not at fault (by hypothesis, partly on the basis of social feedback from family members of the victims). This, together with Sue's insistence that she was a caring and responsible mother to Dylan, suggests that the enduring guilt-like response that motivate Sue to make amends, are not ones that, at their core, involve Sue's taking herself to be at fault.

For all this, it may be difficult to separate Sue's guilt-like response from her being a causal contributor to her son's harmful actions. After all, had she not had children, Dylan Klebold could not have jointly orchestrated and carried out the shooting. Had she not enrolled Dylan in Columbine High School, it is highly unlikely that the massacre would have taken place. More proximately, had she somehow intervened the morning of, or in the days leading up to, April 20, 1999, as it was presumably in her causal power to do, it is imaginable that the massacre could have been prevented. We might also postulate that a *more attentive* parent *would have* noticed "the signs." This may well be true. Sue effectively admits as much in writing that she "missed subtle signs of psychological deterioration that, had [she] noticed, might have made a difference for Dylan and his victims—all the difference in the world" (Klebold 2016, 18). But, to say that there is something (laudable) that one could have done to prevent some tragedy is not to say that one is blameworthy for failing to prevent it, as this kind of omission is compatible with faultlessness. (The faultless truck driver, after all, might correctly judge that, had he trained to be a NASCAR driver, he could have avoided hitting the child.) As Sue maintains, she and her husband had been "loving, attentive, and engaged parents" (Klebold 2016, 17). Still, to the extent that Sue's guilt-like response involves viewing the massacre as causally dependent on her agency, such that it was in her power to prevent it, her painful response *may* be construed as

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<sup>18</sup> Thanks to Matt Talbert for raising this possibility.

one of agent-regret.<sup>19</sup> To better see why Sue's guilt-like response cannot—or at least, rationally need not—be solely one of agent-regret, we need to turn to a different kind of example.

### 3.2 *The case of Rainer and Rudolf Hoess*

In the documentary, *Hitler's Children*, Chanoch Ze'evi interviews the descendants of several Nazi war criminals, including the grandson of Rudolf Hoess. Rudolf Hoess was the commandant of the Auschwitz death camp, to which he introduced the procedure of killing prisoners at an industrial scale through the use of Zyklon-B. He is to blame for exterminating some 2.5 million people. Rainer Hoess, Rudolf Hoess's grandson does not figure in the causal explanation of Rudolf Hoess's killings. They occurred well before Rainer was born. Rudolf Hoess was executed 18 years before Rainer Hoess's birth. For this reason, agent-regret is not an attitude available to Rainer Hoess without serious delusion. And yet, Rainer Hoess reports feeling self-punitive attitudes like guilt and shame *for his grandfather's actions*: "[i]t's hard to explain the guilt... I carry the guilt with me in my mind. I am ashamed too, of course, over what my family, my grandfather, did to thousands of other families." Rainer's guilt-like response is like Sue's in being about a serious harm that somehow belongs to him, but not as something he has done.<sup>20</sup>

Like Sue, Rainer engages in what are intuitively understood as reparatively significant interactions with relatives of the victims of the harms wrought by his family. In Ze'evi's documentary, Rainer visits Auschwitz, where he is introduced to, and addresses, a group of Israeli students and other visitors. One student asks whether he feels guilty for what his grandfather did, to which Rainer Hoess replies, "yes." In distressed tears, another student tells Rainer that his grandfather tortured and exterminated her family; she then addresses the group thus: "isn't he afraid of these encounters with us?" Later, a Holocaust survivor named Zvika, who was present throughout, asks whether he may shake Rainer Hoess's hand. The two embrace, and

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<sup>19</sup> See Williams's (1981, 28) point about the person in the passenger side of the truck, who may take on an agent's thought, thinking how he might have prevented the accident, despite not being the agent of the harm.

<sup>20</sup> Might Rainer's response not be explained in part by anxieties related to thoughts like "that could have been me!" or "there but for the grace of God go I"? It is difficult to imagine that Rainer's reflections on his family history would exclude thoughts like these. These kinds of anxieties, however, seem apt to instill humility in Rainer and something like pity toward his grandfather. But when asked by a group of Israeli students what Rainer would do were he confronted with his grandfather, Rainer says he would kill his grandfather himself. This, of course, does not undermine the possibility that Rainer does feel these anxieties; if he is being sincere in his avowed blame of his grandfather, his stance may instead be one of ambivalence. I thank András Szigeti for raising this idea.

upon being addressed by Zvika as follows: “I was there... You weren’t there. You didn’t do it. You didn’t do it,” the previously outwardly emotionless Rainer breaks into tears. Discussing the impact for him of the interaction with Zvika, Rainer says that “[f]or the first time, you don’t feel fear or shame, but happiness, joy, inner joy, to receive the approval of someone who survived these horrors, and knows for sure that it wasn’t you, that you didn’t do it.” Of course, Rainer was not previously in doubt regarding his contribution to the Holocaust. He knows, and knew, that it took place prior to his birth, and so, that *he could not have* performed, or otherwise contributed to, the mass killings. It is also implausible that he was previously in doubt regarding *others’ knowledge* of his non-contribution to the killings. Neither party comes to learn something about whether Rainer Hoess was culpable for his grandfather’s actions. The interaction’s significance, rather, is practical. In particular, it is reparative in nature.<sup>21</sup>

While there are important differences between the Hoess and Klebold cases, they have the following in common. They feature a) an individual experiencing a guilt-like attitude about harms for which they are not, and do not take themselves to be, at fault. Second, b) the guilt-like attitude motivates one to personally make amends for the harm. Thirdly, c) in virtue of their relation to the harm, the guilt-like response is intuitively rationally available to them in a way that it is not available to the mere bystander. Now, a)–c) are true too of agent-regret. But the shared features of Rainer’s and Sue’s responses cannot be explained with the conceptual apparatus of agent-regret; it is not *qua* agent-who-caused-the-harm that they experience the anguished (a-c) response.

### 3.3 *Relation-Regret & Practical Identity*

I propose that Rainer’s and Sue’s guilt-like responses are usefully conceptualized as instances of *relation-regret*. Relation-regret is an anguished response to harm caused by a person to whom one is intimately related, as a co-member of a group partly constitutive of one’s practical identity (e.g. one’s family). Both Sue and Rainer can say the following of the object of their regret: *it is something my family did*. I understand “family” here as a normative category irreducible to biological kinship. The relevant sense in which Rainer is and views himself to be a Hoess—a member of the Hoess

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<sup>21</sup> The extent of its reparative significance, however, should not be exaggerated. Consider the comment of a third-generation Holocaust survivor, who accompanies Rainer to Auschwitz: “It must have made them [the Israeli students visiting Auschwitz] feel really good that he was there, to see him, to hear him. For them, it closes a very small circle, totally disproportionate to the circle of Holocaust survivors. But it offers them a happy ending at the end of this terrible journey... I didn’t feel any connection to it. I didn’t feel connected to it because it all seemed too quick. It seemed like it lacked depth. It was genuine. I have no doubt about that. It came from the heart, but it was too quick.”

family— is presumably not one that would easily survive Rainer’s having been adopted in infancy and raised by individuals unconnected to the Holocaust. While I do not attempt to specify the conditions necessary and sufficient for the relevant kind of family membership, in Rainer’s case, being raised by and formed in light of the values of a person who himself was raised by and formed in light of the values of Rudolf Hoess (i.e. Rudolf Hoess’s son), will be part of what gives substance to Rainer’s identifying with Rudolf Hoess qua family member.<sup>22</sup> The sense in which Rainer Hoess identifies with Rudolf Hoess is, we can stipulate, that secured by its being a significant feature of Rainer’s practical identity that he is a member of the Hoess family.

By “identifying with,” I mean something more substantive than mentally classifying oneself as having some feature in common with others. Even if there is a sense in which I can, right now, have a thought that makes it the case that I “identify with” some group (say, green-eyed persons), the sense of identification of interest to me is not this, but that specified by talk of one’s “practical identity.”

As I employ the term, one’s practical identity is constituted by one’s

a) subsumption under

and

b) self-application of

normatively significant (for the self in question) categories.

While a) and b) may not be easily separable in many cases, they are conceptually distinct. I take “subsumption” to be a (social) metaphysical notion. For one to be subsumed under a normatively significant category C is for one *to be* a member of the C-class. Supposing “vegan” (understood as ‘one whose diet excludes animal products’) to be such a category, there will be a fact of the matter, independently of one’s self-categorization, whether one is a vegan. If I eat bacon every morning, though I may *aspire* to be a vegan, no amount of self-application of the category, however sincere, will suffice to make it so, i.e. to make ‘being vegan’ part of my practical identity. Importantly, the application-conditions for many identity-relevant categories will depend on historically, geographically, culturally (etc.) contingent practices. Not all circumstances will allow that one’s practical identity can include being, say, an abolitionist or a first amendment activist. Additionally, one’s historical circumstances sometimes play an essential role in fixing the extension of a given category, such that one’s being subsumed under that category at one point in history does not guarantee subsumption at a later time. Nevertheless, there will ordinarily be a (social) fact of the

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<sup>22</sup> I owe the thoughts of the latter half of this paragraph to Matt Talbert, who also suggests that kinship might be *unnecessary* for the kind of familial identification I have in mind, which seems right to me.



matter whether some individual belongs to the class in question (or is perhaps a ‘borderline case’).<sup>23</sup> How such facts are determined, I leave to the social metaphysicians.

Next, “self-application” is a psychological matter. It refers to one’s regarding oneself as falling under some normative category. Self-application will involve more than merely believing that some category applies to oneself, however. For, identity-constituting categories come with identity-given reasons and evaluative standards, which reasons and standards animate one’s identity-specific deliberations, motivations, and evaluations. Often self-application is implicit, but it can be made explicit, e.g. when one interacts with others who do not share the relevant practical identity-given perspective. For example, when Malik declines a lunch invitation, citing as his reason that, “I am Muslim and will be fasting for Ramadan”, Malik’s self-application of the category “Muslim” and its normative force for him, is made explicit. In other contexts, self-application might not be reflected in self-conscious thought. The Buddhist monk will be disposed to reason and behave in ways expressive of his identity as a monk—many of his deliberations and evaluations will be performed from the perspective of this practical identity—but the conditions of his monasticism (including his being in the company of other monks, exclusively) might preclude the need to make explicit the identity-given nature of the reasons on which he typically acts, or to justify himself to others in terms of his being a monk.

Though one’s practical identity will typically also include categories that are not governed by group-specific norms (e.g. those rooted in one’s individual commitments or one’s personality), the above discussion suggests that our practical identities are often constituted in part by our group memberships, i.e. our social identities (Tajfel & Turner 1979; Hogg & Turner 1987; Oakes et al 1991; Turner et al 1987; Brewer 1991). It is natural to assume that for both Sue and Rainer, being a Klebold and Hoess, respectively, is part of their practical identities. Sue and Rainer both are members of their respective families, where family-membership is a normative notion implying, inter alia, the sharing of history and customs.

The payoff of this excursus on practical identity is within reach. In the previous section, the fittingness of agent-regret was accounted for by the assumption that involuntary products of one’s agency can negatively impact one’s practical identity, changing one’s identity-given reasons. The products of one’s agency are poised to affect one’s practical identity—*who one is*, and so, what one has reason to do—even when those products are not voluntarily brought about. Recall Williams’s skepticism

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<sup>23</sup> I say “ordinarily” to accommodate the possibility of circumstances in which the social/historical conditions are such that there is no fact of the matter whether some individual falls under a given category; see Hacking (1999; 2002). For an overview of positions on social kinds, see Ásta (2017) and for a defense of pluralism about social kinds, see Khalidi (2015).

that we can sever from our practical identities the impact of our actions and their unintended consequences on the world (Williams 1981, 29; cf. Bagnoli 2000; Betzler 2000; Honoré 1999, 75; Raz 2012; Statman 1993, 6; Tannenbaum 2007; Wallace 2013). In the case of the faultless driver, being the killer of an innocent child may conflict with the values of one's practical identity. This conflict does not imply that one *intentionally* killed the child, or that the killing was one's fault. One's practical identity—qua causally efficacious agent—renders one vulnerable to the anguish involved in being a killer, an agent who has killed another, albeit unintentionally.

Analogously, in cases of relation-regret, a social feature of one's practical identity—particularly, one's family-membership (understood as more than kinship)—stands to explain why guilt-like responses are fitting in response to grievous harms caused by members of our families. The failures of a family member might be affectively and motivationally registered by a fellow member as *our failure* (Salice & Montes Sanchez 2016).<sup>24</sup> I hasten to add that I do not assume that relation-regret must represent the harm caused as something “we” (e.g. “our family”) did. Though such ‘we’ thoughts strike me as coherent even in cases like Rainer's, where nothing like joint action or complicity is implied, the phenomenology of relation-regret might be better captured by reference to possessive thoughts reflecting group membership, rather than plural reflexive thoughts—i.e. what ‘my son’, or ‘my grandfather’ did (rather than what ‘my family’ did, though without my involvement). The group-relation might figure as a background condition for relation-regret, rather than featuring in its contents.

If agent-regret reflects the vulnerability of one's practical identity to the uncontrolled outcomes of one's agency, relation-regret reflects the vulnerability of one's practical identity to the actions of those to whom we are bound in robust forms of group co-membership. In particular, relation-regret is reflective of damage done to a social component of one's practical identity.

Consider Sue Klebold's self-assessment as a “mother”. “Before the shootings,” Sue says, “I thought of myself as a good mom; helping my children become caring, healthy, responsible adults was the most important role in my life. But the tragedy convinced me that I failed as a parent.”<sup>25</sup> As with agent-regret, there is room for self-punitive excess in feeling relation-regret. Perhaps Sue is being too hard on herself. But, perhaps not. For, Sue appreciates that there is a sense in which she is *not* a bad

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<sup>24</sup> Developmental studies by Over et al. (2016, 29; cf. Bennett & Sani 2008) suggest that children as young as five are prone to “accept responsibility for the negative actions of their ingroup members,” manifesting embarrassment and guilt-like reactions and taking steps towards remedying transgressions performed by ingroup members of their ingroup. For discussion of the mental representations underlying group identification, see Salice & Miyazono (2019).

<sup>25</sup> 2:00-2:17: <https://youtu.be/BXlnrFpCu0c?t=120>.

mother—after all, she describes herself and her husband as “loving, attentive, and engaged parents” (Klebold 2016: 17). And, she might conceivably and coherently be proud of, and affirm, certain aspects of her motherhood. Still, should we assume that she is mistaken in taking her son’s actions to be incompatible with affirming herself to be, in the full sense of the term, a good mother? If we grant that there is more to being a good parent than good *parenting*, such that the latter but not the former is compatible with the thought that one “was the person who had raised a ‘monster’” (Klebold 2009), we can make sense of the claim that, despite her sound parenting, Sue “failed as a parent”.<sup>26</sup> Naturally, this thought gives Sue reason for a special kind of pained response—one distinct from the attitude you or I might take toward Dylan Klebold’s actions.

One might worry whether it can be sufficient for either agent-regret or relation-regret that the regretted actions *impact one’s practical identity*. For, diminishment to one’s practical identity might understandably render shame fitting, but being ashamed about X does not obviously provide one with reasons to personally make amends for X. Personally making amends and seeking forgiveness (or something like it) are motivations associated not with shame, but guilt. A second step appears necessary to justify the guilt-like nature of relation-regret (and agent-regret, though I’ll focus on the former for now), namely the need to address *interpersonal antagonisms*. The reparative significance of an expression of relation-regret is intelligible only in light of this kind of need.<sup>27</sup> We needn’t look beyond practical identity, however, to accommodate this point. That is, a fuller understanding of practical identity generally, and the dynamics of group-membership, in particular, sheds light on the normativity of the antagonisms at play.

A feature of social cognition is our tendency to (implicitly) categorize others as either one of ‘us’ or one of ‘them’, i.e. to view persons as belonging either to one’s ingroup or outgroup (Tajfel 1970; Tajfel et al 1971; Kramer & Brewer 1984). In cases of interpersonal conflict, it is natural for ingroup/outgroup categorization to intensify in salience (Taylor & Jaggi 1974; Dovidio et al 1997). Next, other things being equal, reasons of partiality presumably count in favor of, and so will ground others’ expectations that, related agents will somehow *support* their harm-causing relatives. That is, it is commonly held that we are sometimes justified in giving (limited) preferential treatment to those ‘near and dear’. That some person is *my daughter*, say,

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<sup>26</sup> Part of the explanation for this may be that Sue was still in the process of parenting; Dylan lived at home, and the project of raising him was yet incomplete. Thanks to Matt Talbert for this point.

<sup>27</sup> Here I draw on David Sussman’s (2018) recent discussion of agent-regret. As Sussman (2018, 802) writes, “even when there is no culpability, there can still be inescapable forms of personal antagonism that, although innocent, can nevertheless involve many features of interpersonal wrongdoing.”

intuitively gives me a special reason to promote that person's welfare. In light of the related but faultless agent's reasons for partiality toward her harm-causing relation, then, the victims of the harm seem *prima facie* justified in extending their hostile stance toward the wrongdoer to those plausibly construed as being *on the same side as* the harm-causer.<sup>28</sup> Recall the Israeli student's question about Rainer Hoess, to her group: *isn't he afraid of these encounters with us?* While Rainer is not *in fact*, as his grandfather was, hatefully disposed toward people of Jewish origin, he is nonetheless defeasibly seen as such—as an enemy—owing to his shared family identity with Rudolf Hoess.<sup>29</sup> If group-membership consists in part in the sharing of history and giving special attention to the interests of ingroup members, it may be reasonable for outgroup members to view those related to the wrongdoer as defeasibly supportive of— and more importantly (and to be further unpacked below) normatively implicated in—the harm caused, despite being recognized as personally faultless.

Support for this idea is found in Sue Klebold's acknowledgement that her son's actions generate antagonistic relations between herself and Dylan's victims. Speaking of "the sorrow [Dylan] had caused another mother" Sue (2016, 61) writes, "I wanted to feel close to her, and I did, but I was the last person on earth she would allow to offer her words of comfort, and the sense of isolation and grief and guilt following so quickly on the heels of that sense of connection devastated me." Despite feeling compassion towards the victims, Sue is separated from them by an antagonistic rift created by her son (and to that extent, by her family). The reasons of partiality she had toward her son, plausibly translate into reasons she has to make amends for what he has done.<sup>30</sup> Recall that Sue writes her memoir not to 'clear her name', but rather to personally make amends for her son's actions. While this involves taking a stand against Dylan's actions, thereby providing others with evidence that she does not share her son's values, this kind of evidence might be conveyed while refusing to make amends.

Importantly, on the "practical identity view" here advanced, Sue's reasons for making amends are not dependent on her having performed an act of *taking responsibility* for Dylan's actions. The practical identity view is to be contrasted with volitional views of the fit-making conditions for responsibility-responses like those I attribute to Sue and Rainer. Consider the view proposed by David Enoch (2012), according to which an agent might "take responsibility" (in response to a duty to do

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<sup>28</sup> An upshot of this point is plausibly that group members are specially positioned to address co-members with directives to act in accordance with norms endorsed by the group, so as to prospectively limit intergroup antagonism. See Story (2019, esp. 611-13) for a way of developing this point.

<sup>29</sup> On the antagonistic counterpart to partiality (or, "negative partiality"), see Brandt (2020).

<sup>30</sup> See Scheffler (2010, 50-2) on the "membership-dependent" and "relationship-dependent" reasons agents may have in virtue of valuing their group memberships and relationships.

so) for another's actions, through a "kind of (possibly mental) action" (Enoch 2012, 102), *thereby* licensing responsibility-responses for those actions. On my view, by contrast, one's group memberships *themselves*—understood, again, as robust valuing relations figuring in one's practical identity—render fitting responses like relation-regret (well, together with the harm caused by a fellow group-member). The holding of further background conditions might also be necessary for relation-regret (perhaps the agent in question must possess certain agential capacities, ones possibly absent in children, say), but the point here is that, for the relevant class of agents whose practical identities are constituted in part by their group-memberships, no act of taking responsibility is necessary to render fitting the response of relation-regret.<sup>31</sup>

The cases I have focused on are ones involving relation-regret for serious harms caused by a member of one's family. As family-membership is often a form of group-membership wherein group members view one another as i) interdependent and ii) sharing an identity (see Lickel et al. 2005), relation-regret may be especially pronounced among family-members. But, might not relation-regret be felt about harms caused by agents with whom we identify on different, non-familial, grounds? We belong to groups beyond that of the family, e.g. that of one's country, nation, religion, ethnicity, etc. It is natural to wonder whether the above discussion of relation-regret extends to cases where the harm-causing agent is related to one qua member of some such group. If some of my fellow citizens, say, are responsible for grave acts of injustice against the people of another country, can it be fitting for me to feel relation-regret for their actions? A positive answer to this question will depend in part on a positive answer to the question, "is my membership in this group (my citizenship,

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<sup>31</sup> Still, Enoch and I share the view that agent-regret and relation-regret are to be treated in a similar fashion. Additionally, despite the letter of his view, Enoch allows considerable work to be done by non-voluntary responses. That is, Enoch claims that one can implicitly "take responsibility" for acts that are not one's fault. One might, for example, take responsibility for the unjust actions of one's country by having *felt proud* of its achievements at an earlier time (Enoch 2012, 111, 127). This sounds to me as coming quite close to the view that one's group-membership—understood not *as mere citizenship* (e.g. being a passport-holder), but as normative category reflected in one's practical identity—does the work of securing the fittingness of, in my terms, relation-regret. That is, once Enoch introduces what it means to *implicitly* take responsibility, it looks like one's group-membership itself is what renders these responses fitting, and not anything resembling a voluntary response to a duty. Enoch grants (in conversation) that he is susceptible to this kind of worry, and suggests a way of getting more volitional control into his view. The idea is roughly that the involuntary responses in virtue of which one 'takes responsibility' are capable of being rationally approved or endorsed by their subjects. While one might e.g. grow up unreflectively supporting some group, feeling pride and the like for its achievements, one might later *reflectively endorse* one's support of that group, thereby making the support one's own. For development of this idea in another context, see Enoch (2020). If, though, it turns out that the *capacity* for such endorsement is what matters (as I suggest above), this kind of point may speak more in favor of a practical identity-based view, than a volitional one. Alternatively, if the volitional view can be reformulated such that its focus is on (something like) *autonomy* rather than autonomous acts of will *per se*, the gap might be bridged between the practical identity view and volitional (/ autonomy) views. But, these are matters for future discussion.

robustly understood) a feature of my practical identity?" Recall that this requires not only that one self-applies the category (of e.g. American citizen), but that one is subsumed under this category, such that one is beholden to the norms constitutive of citizenship. Finally, we will need to know whether citizenship can be a *normatively significant* category, at least for some of those for whom their being citizens is a feature of their practical identity. I see no reason to deny any of this outright, and so, no reason to deny that one might fittingly feel relation-regret for harms caused by one's fellow citizens (or by one's fellows qua members of larger groups still).<sup>32</sup>

Before turning to the connection between relation-regret and moral luck, a comment is in order about the optionality of our memberships in (at least) a wide range of groups of which we are a part. Persons of course join groups, and leave groups. More generally, the social elements of our practical identities are not simply foisted upon us, but partly of our own making. Shouldn't it be possible, then, for an agent to exit some group at her choosing, e.g. upon learning that some of its members have committed serious injustices? The short answer, as I see it, is: *sometimes, but not instantaneously and not without costs*. Suppose one has reason to feel relation-regret on the basis of one's citizenship (i.e. one's membership to some country as reflected in one's practical identity). Now, in some cases one might be able to relinquish one's citizenship and leave one's homeland. Suppose this is done in an effort to divest oneself of membership in some state. Will this suffice for extirpating membership in that group from one's practical identity? Perhaps (or perhaps it will be a start), but depending on the details, we might be inclined to view a process of renunciation like this—painful in some respects as it is apt to be, assuming that citizenship in that land *was* a part of one's practical identity—as a way of manifesting one's relation-regret, rather than evading it. Whether it's a commendable (or even permissible) way of manifesting one's relation-regret is another, first-order moral, question.

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<sup>32</sup> Still, it may be dialectically preferable to focus on relation-regret had along familial lines, at least as a way of introducing the phenomenon of relation-regret. One reason has to do with group size; groups unified along lines of citizenship tend to be quite large. If we assume that the emotional and reparative burdens proper to relation-regret are distributed amongst members of the group— and that the size of any member's reparative burden qua group member may vary in proportion to factors like the significance of that group to one's practical identity— country-based cases of relation-regret may tend to generate reasons for personally making amends that are easily defeated or fairly limited. (I put this thought forward speculatively; a host of complications are packed into it). A version of this point may also to apply to family-based relation-regret in cases where one is *distantly* related to the wrongdoer. I'm not sure what will count as sufficient distance, but the normative grounds for Rainer Hoess to feel relation-regret for his grandfather's actions will intuitively be considerably stronger than those for Rainer's *great-granddaughter* to feel relation-regret for Rudolf Hoess's actions. To be sure, this may be explained not only by familial distance, but by the contingent fact that *others* (like Rainer Hoess) *will already have done* some of the reparative work called for by her great-great-great-grandfather's actions. The distance of the *victims'* relatives to the original victims might also be partly explanatory of this difference between Rainer Hoess and his (imagined) great-granddaughter.

Returning to familial relations, while there may be a real sense in which a parent can “disown” their child, the commitments ordinarily undertaken in parenting are such as to cast doubt on the idea that one can, through a sheer act of will, *opt out* of being a parent, thereby rendering oneself normatively invulnerable to the impact on the world of the persons one raised and cared for. As Samuel Scheffler (1997, 204) puts a related thought, “the idea that the significance of our personal ties and social affiliations is wholly dependent on our wills—that we are the supreme gatekeepers to our identities—can only be regarded as a fantasy.” For Sue Klebold, the prospect of somehow cutting ties with Dylan does not arise as an option, in part because she still loves him, as expressed in her grief. In short, though we regularly undertake activities toward shaping our practical identities—and may, in a real sense, form ourselves—this means neither that it is possible nor desirable for us to simply sever group-memberships from our practical identities when doing so would be, from a narrowly self-interested perspective, convenient.

#### 4. From Relation-Regret to Associative Luck

If the interpersonal damage wrought by those to whom we are intimately related can provide us with reasons for guilt-like and reparative responses, it appears that we are vulnerable to a kind of moral luck owing to the way in which our practical identities bind us to others.<sup>33</sup> I introduce the label *associative luck* to refer to this phenomenon. To the extent that Sue Klebold and Rainer Hoess have reasons to feel and express the guilt-like attitude of relation-regret—reasons grounded not in any expression of *their own* agency but rather in the agency of another to whom they are related—they are associatively *unlucky*.<sup>34</sup>

I have avoided claiming that those who fittingly feel relation-regret for X are in a sense *morally responsible* for X. For, I accept that a central kind of moral responsibility is that implying fault (or, in the positive case, credit) for the object of moral responsibility. Since Rainer and Sue are faultless for the objects of their relation-regret, these agents will not be morally responsible *in the central, fault-implicating, sense*. ‘Moral

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<sup>33</sup> At least, if we refrain from understanding moral luck narrowly; see the penultimate paragraph of section 2.

<sup>34</sup> This does not mean that they are *unlucky to be related* to those to whom they are related (/to be part of the family of which they are a part). After all, the resultantly unlucky agent’s agent-regret does not imply that he is *unlucky to be an agent*. Admittedly, we can imagine cases for which it would be sensible to claim that one is unlucky in being related to some family-member (though this might be unintelligible in cases where one’s being in that relation is essential to who one is, e.g. one’s having the (grand)parents one has). But even when this kind of claim would be intelligible, the point remains that it is compatible with one’s experiencing relation-regret (and being to that extent associatively unlucky) that one affirms the relevant group membership (/familial relation), all things considered.

responsibility,' however, is a multiply ambiguous term, and as long as we disambiguate and proceed with due caution, we might profitably speak of a form of moral responsibility according to which the social features of one's practical identity can render one morally responsible, in a partly backward-looking way, for harms caused by a group-member. Call this, "associatively responsibility".<sup>35</sup> While I cannot provide a full account of the phenomenon here, it will be useful to at least motivate talk of moral responsibility in this context.

Recall the intergroup antagonisms that tend to arise between members of groups in conflict, and the corresponding felt need for redress, i.e. for relatives (the associatively unlucky) to sometimes make amends. In addition to its being fitting for Rainer and Sue to have a guilt-like response, we found that negative partiality of a sort was intuitively licensed on the part of victims' relatives. Consider again the student at Auschwitz who addresses Rainer Hoess to say that his grandfather tortured and exterminated her family, and who addresses her group thus: "isn't he afraid of these encounters with us?" Does this interaction amount to blame? If blame necessarily involves the thought that its target is personally at fault, then *no*. But, allegiance to a fault-centered view might obscure important similarities between responses like the above and those more readily labeled 'moral blame' by philosophers.<sup>36</sup> The student's address toward Rainer seems (or can be adjusted with little effort) to have a condemnatory quality, one corresponding to Rainer's own professed guilt and shame about the atrocities committed by his grandfather (and by extension, his family).

In any case, 'blame' is like 'moral responsibility' in being multiply ambiguous. As long as we proceed with due caution, we can understand 'associative blame' as an other-directed response characterized by expressions of negative partiality that call for their addressee to personally make amends, owing to their group-membership, and despite being personally faultless. Reference to something like associative blame seems useful for making sense of Sue's and Rainer's seeking something like forgiveness for the harms caused by their relatives.<sup>37</sup> As long as we refrain from assimilating associative responsibility (and associative blame) to the kind of moral responsibility (and blame) that presupposes fault, talk of responsibility and blame in this context may be put to good use.<sup>38</sup>

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<sup>35</sup> See Sepinwall (2012; 2017, 525–526) for a view along these lines. See also Yankah (2017) for discussion that points in the direction of race-based associative responsibility in the United States.

<sup>36</sup> Perhaps allegiance of this sort is even criticizable for fetishizing fault. See Riedener (2021).

<sup>37</sup> If forgiveness also implies that the forgiven agent had been at fault, then perhaps we should speak here too of a related phenomenon: "associative forgiveness". See Driver (2017) for discussion of cases in which forgiveness may be apt even when blame was not.

<sup>38</sup> One's being associatively blameworthy, and thus the fitting target of others' associative blame, does not imply that these responses are *deserved*. The desert-relation is typically understood as a relation of *personal desert*, and as such, implying fault (at least for desert of negative responses, like blame)



The morality system, however, would have us draw a starker boundary between *moral blame* and responses like those of agent-regret and relation-regret (along with their third-personal analogues). For, the morality system assures us, we can only be fittingly subject to the uniquely bad responses of blame by failing to do as obligated, which implies that we *could have* done so (Williams 1985, 174-183; Williams 1993b, 254). This optimistic picture, however, flagrantly conflicts with our practical sense of what is valuable, and what contributes to a good life.<sup>39</sup> The idea that, as far as anything of *supreme* value is concerned, I am no different from the bystander, though it is I who have caused another's death, overlooks something we recognize as mattering in our interpersonal practices, and mattering no less than those changes to the normative landscape that the morality system validates). Our sensitivity to the significance of some of the involuntary consequences of our own actions (and so, our commitment to resultant moral luck) puts pressure on the morality system's insistence on the importance of the *voluntary*. Associative moral luck, by contrast, puts pressure on the morality system's insistence on the importance of the harm's being expressive of *my* agency.

Our vulnerability to associative luck serves to highlight a commonality and difference between our moral universe and that of Homeric and Classical Greece. It is a recurring theme of ancient Greek drama that the son or daughter may "pay" for the crimes of their predecessors. When this idea is viewed under the guise of *inherited guilt*, it appears foreign to our moral sensibility. This may be especially so when one's 'inheriting guilt' serves as another's reason for vengeful killing,<sup>40</sup> e.g. when Aegisthus (son of Thyestes) collaborates in killing his cousin Agamemnon (son of Atreus), claiming his right of revenge for Atreus' having fed Thyestes to his own children at a banquet.<sup>41</sup> Though we regard scenes like these with horror (at least when portrayed compellingly), the intelligibility and seeming fittingness of responses like those of

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(Feinberg 1970). The desert-relation, however, is only one of several appropriateness relations and is presumably (owing to its connection to fault) of the *wrong kind* (in the sense of being an inapplicable) for determining whether an agent is associatively responsible.

<sup>39</sup> For a more direct objection concerning the possibly self-undermining nature of the morality system's drive towards "absolute fairness," see Russell (2017, 260).

<sup>40</sup> Dodds claims that in addition to Hesiod, Theognis, and Herodotus, Aeschylus "accepted the idea of inherited guilt and deferred punishment... it appeared as a law of nature, which must be accepted: for the family was a moral unit, the son's life was a prolongation of his father's, and he inherited his father's moral debts exactly as he inherited his commercial ones" (Dodds 1951, 33-34). But see Gantz (1982).

<sup>41</sup> Agamemnon's death, however, is overdetermined. At least, the motives (and justifications given) for Agamemnon's murder are not limited to the revenge of the House of Thyestes. Clytemnestra (Aegisthus's lover and co-conspirator) importantly has multiple motives for vengeance against her husband. In some versions of the story, Agamemnon dies by Aegisthus's hand, and in others, by Clytemnestra's. But, even in Aeschylus's version, where the murderous plot culminates in Clytemnestra's acts of fatally stabbing Agamemnon, Clytemnestra identifies Atreus's banquet as grounds for Agamemnon's murder.

Rainer Hoess and Sue Klebold suggest that the distance between our and the normative universe of Homeric and Classical Greece may be shorter than we care to admit.

The point here is not that we remain beholden to ‘morally primitive’ practices. After all, the conditions underlying relation-regret are the very same that, in other contexts, provide our lives with considerable value and joy. The social nature of our practical identities renders us vulnerable not only to relation-regret; it makes possible positive, pride-like, attitudes and expressions in response to the achievements of those to whom we are attached. Consider, for example, the pride the granddaughter might feel in her grandmother’s work in the civil rights movement, work performed before the granddaughter’s birth. It would be a mistake to construe this point as one about the demands of consistency. That is, the point here is not that consistency demands that, *if* we take pride in the successes and achievements of those near and dear, we must also respond with relation-regret when such relations cause others serious harm. For, ‘should I have a practical identity that is also a social identity?’ is not obviously a question that one can sensibly raise for oneself. While we sometimes (endeavor to) associate with particular persons and groups, and to dissociate with others, these ‘local’ changes in social relations are sought from a perspective that presupposes the sociality of our practical identities. The sociality of our practical identities is that in virtue of which we participate meaningfully in the lives of others, others qua *our* family members, friends, teammates, fellow citizens, etc.

The idea that, as agents, we are non-trivially more than what we voluntarily do, is an important insight forcefully made by Williams at several stages in his philosophical career. “The mature moral agent,” Williams claims (1995, 32), “will recognize his relation to his acts in their undeliberated, and also in their unforeseen and unintended aspects. He recognizes that his identity as an agent is constituted by more than his deliberative self.” If there is truth to what I have proposed concerning relation-regret and associative luck, an enlarged picture of the mature moral agent emerges: one who lives also with the truth that his identity is in many ways a social identity, such that the actions of those to whom he is attached can alter his practical identity, who he most deeply is.<sup>42</sup>

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