Moral Luck, Free Will Theodicies, and Theological Determinism

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Theological determinism says that every choice made by human beings was determined to occur by God. Furthermore, God's determining of human choices was not done in response to foreknowledge explained by those very choices. Rather, God's decisions regarding our choices are explanatorily prior to our choices. (Sometimes views that don't imply all this have been called "theological determinism." But the views I aim to make trouble for accept these claims.)

I want to raise two challenges for theological determinism. The first challenge concerns the accounts of human moral responsibility available to them. The second challenge concerns the responses to the problem of evil available to them. We will also see that the two challenges converge in an interesting way.

11.1 Moral Luck and Theological Determinism

Theological determinists have two options regarding human moral responsibility. They can deny that we humans are ever responsible for our behavior. Or they can claim that we are sometimes responsible for our behavior even though God determined which choices we would make. The second option involves accepting theological compatibilism, the view that moral responsibility is compatible with divine determination of our choices. The debate over compatibilism has, some might say, played itself out. Both sides are dug in defending their views and the necessary bullets have been bitten by all parties. Nevertheless, I want to try to reinvigorate the debate by pointing out a new advantage of rejecting compatibilism.

Incompatibilists reject the claim that we can be responsible if our choices are determined by factors outside our control. Incompatibilists criticize compatibilism on the grounds that it is unfair for us to be blamed for choices that were guaranteed by external factors (whether by God or impersonal causal forces). Suppose God determines that Ned makes a

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good choice but that Nell makes a bad choice. Since God's decisions are outside their control, it may seem unfair to blame Nell while praising Ned. Moral luck occurs when your level of moral credit or discredit – that is, how praiseworthy or blameworthy you are – is impacted by factors beyond your control.[1] So one way to put the unfairness worry is that Nell has experienced bad moral luck, and that is unfair.

But it is hard to make this worry stick, because it is very hard to avoid accepting the existence of moral luck. To see why, consider these two examples:

Killer: Abe is told he will receive $10,000 to commit a murder. He spots his victim, decides to shoot, and successfully kills him.

Would-be killer: Ben is told he will receive $10,000 to commit a murder. He spots his potential victim, but just before he decides whether to shoot, a truck blocks his line of sight. So he never makes the decision to shoot. If it weren't for the truck, he would very likely have taken the shot.[2]

Intuitively, Abe is more blameworthy than Ben because Abe actually made a bad decision, and Ben did not. It looks like something outside of Abe's control, the absence of the truck, impacts his level of blameworthiness. The difference between Abe and Ben is explained by whether the truck appeared, and that is outside of either of their control. So it looks like we have a genuine case of moral luck. It seems unfair that Abe experiences bad moral luck. But it also seems very hard to deny that he is more blameworthy than Ben. Consider this case as well:

Virtuous non-killer: Chase is told he will receive $10,000 to commit a murder. He spots a potential victim. But Chase is a naturally virtuous person (his virtue is not due to his own previous good choices), so he decides not to shoot. Had Chase possessed Abe's naturally bad character (Abe's stronger temptation to shoot is also not due to his previous choices), he would probably have taken the shot and committed murder.

Here again, we seem to have a case of moral luck. Chase had the good luck to be born with a virtuous character. As a result, he is less blameworthy

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[1] This is just a rough notion of moral luck, not a precise definition. See Nagel (1979) for a classic discussion of moral luck.
[2] See Zimmerman (2002) for similar examples.

than Abe. Abe experiences bad moral luck by not starting out with a virtuous character.

Here is the problem of moral luck. It seems unfair to let factors beyond one's control impact someone's level of moral credit or discredit. But it is also very hard to deny that Abe is much more blameworthy than Ben or Chase. And it looks like the difference between them is explained to a significant degree by factors beyond any of their control.[3] (It is true that Abe could have chosen not to shoot. So he had some control over his situation. But because of factors outside of any of their control Abe's prospects for avoiding blame were much worse than Ben's or Chase's.)

I believe there is a solution to this problem. We can accept the view that everyone has equal moral opportunity, that is, equal opportunity to gain moral credit (and avoid discredit) for one's choices. If everyone's prospects for gaining moral credit (and avoiding discredit) are equally good, then it will not turn out that Abe's circumstances are unfair. My suggestion is that everyone, no matter what sort of circumstances they find themselves in, has an equally good initial level of expected moral desert. A *desert level* reflects what someone morally deserves to receive, not necessarily what they actually receive. So if you have a positive desert level that means you deserve to receive credit or reward. An *expected* desert level reflects one's prospects for ending up with various desert levels after having made a choice. My proposed solution to the problem of moral luck is that everyone's initial expected desert level is 0. Only free choices can raise or lower one's expected desert level.[4]

To see how all this works, imagine that Abe is 50 percent likely to decide to commit murder. If Abe would receive +25 moral desert if he does the right thing and resists the strong temptation to kill, but he would possess –25 moral desert if he does kill, then his expected desert level is 0. For those not familiar with the notion of expected value, a rough way of figuring out one's expected desert level is to consider the average amount of desert one would expect to gain if faced with the exact same situation a great many times. Since Abe would expect to gain +25 half the time and –25 half the time, he would expect to get 0 on average. So his expected desert level is 0.

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[3] There is also the problem of "resultant" moral luck, which occurs when two agents attempt the same act, but only one succeeds. I do not address that problem in this essay, but I have proposed a solution to the problem of resultant moral luck in Swenson (2019). The cases I am concerned with here involve one agent (Abe) performing an act that others (Ben and Chase) do not actually attempt, though they likely would have attempted them under certain conditions.

[4] I previously proposed this view in Swenson (forthcoming).

Chase is more virtuous and, as a result, less tempted to commit murder (and recall that this is not due to his own past free choices). Suppose he is 90 percent likely to refrain from committing murder. Since it is easier for Chase to refrain from killing, he should get less credit for it. If Chase would earn +10 desert if he refrains from killing, but would earn –90 desert if he decides to kill, then his expected desert level is also 0.

This moral picture is inspired by the thought that those in difficult moral circumstances get extra credit when they overcome difficulty or temptation and act rightly, while those in circumstances where it is easier to act rightly are held to higher standards. "To whom much is given, much is required."[5] Since it is easier for Chase to act rightly, he gets more discredit for failing and less credit for succeeding. (And since Ben does not make a morally significant choice his expected (and actual) desert level is at 0 as well.)

If it is true that everyone has the same expected desert level, then I do not think Abe's circumstances are unfair. He ran a risk of becoming blameworthy, but that was counterbalanced by his chance to earn moral credit. His circumstances were no worse (when it comes to moral desert) until after his free choice to kill. Thus we can solve the problem of moral luck. Abe is more blameworthy than Ben or Chase, but, nonetheless, his circumstances were not unfair. He had equal moral opportunity.

One might wonder what I mean when I say that Abe's circumstances are not unfair so long as he has a certain desert level. Suppose Abe is punished excessively; clearly he has not been treated fairly. This is correct. But the problem of moral luck does not arise because people do not get what they deserve. That is a tragic fact about the world, but it is not the problem we are considering. Rather we are trying to avoid unfairness coming from morality itself: unfairness in how moral desert is assigned. There is unfairness in whether one gets what one deserves, but there should not be unfairness in the rules that determine what you deserve in the first place. Abe has not had unfair prospects for earning moral desert, though he may experience unfairness when it comes time to receive what he deserves.

There are many objections one could raise to this notion of moral equal opportunity. I have tried to address objections elsewhere (Swenson forthcoming). What I want to consider here is whether compatibilists can endorse this solution to the problem of moral luck.

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[5] Paraphrase of Luke 12:48.

If God determines that I will make a certain choice, it is natural to think that the probability that I will make that choice is 100 percent. If it is 100 percent likely that I will make a blameworthy choice, then my expected desert level will be negative. For example, suppose it is 100 percent likely that I will tell a lie that earns me –5 desert, then the average amount of desert I will earn is –5 and my expected desert level is –5. So it may appear obvious that compatibilists cannot accept moral equal opportunity.

However, it is controversial whether determinism is inconsistent with nontrivial objective probability assignments (e.g., those other than 0 percent or 100 percent). Consider first causal determinism. Causal determinism says that every event that occurs is causally guaranteed to occur given the past and the laws of nature. Quite a few philosophers have thought that nontrivial objective probabilities are compatible with causal determinism.[6] Perhaps these probabilities are due to "probabilistic special scientific laws" (Glynn 2010) that are genuinely indeterministic despite the obtaining of deterministic fundamental physical laws. Or perhaps the nontrivial objective probabilities arise because "the contextually salient facts permit more than one chance outcome" (Eagle 2011, 286).

Theological determinists could maintain that nontrivial objective probabilities are consistent with their view as well. For example, they could accept Eagle's view and claim that God's decisions are often not contextually salient facts when we are considering whether agents are morally responsible. Rather the contextually salient facts are facts about the agent's psychology and immediate environment. If these facts don't rule out an agent acting contrary to God's prior decree regarding the agent's decision, then there is some objective chance that the agent will act otherwise.

If there are such objective chances, the compatibilist could claim that the expected desert level of an agent who is determined by God to act badly is still 0. This is because there is still a chance (in the relevant sense of objective chance) that the agent will act rightly.

Suppose the agent complains, "Look, I was causally determined to act wrongly. Clearly that put me in a worse position than someone who was determined to act rightly. So I have suffered bad moral luck." The compatibilist could offer this reply:

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[6] See e.g. Loewer (2001), Hoefer (2007), and Glynn (2010). For the case against nontrivial deterministic chances see Schaffer (2007).

> You only think you've had bad luck because you think that being deter-
> mined to act wrongly impacted your expected desert level by rendering
> you 100 percent likely to act wrongly. However, there was still a nontrivial
> chance that you would act rightly. And your expected desert level was still
> 0. So you still had the same level of moral opportunity as everyone else.
> Thus you did not suffer bad moral luck.

The problem with this response is that it undercuts the claim that equal
moral opportunity provides a genuine solution to the problem of moral
luck. We only have an attractive solution to the problem of moral luck
if we have found a way to avoid the intuitive unfairness in cases like
Killer and Would-be killer. But suppose Abe's expected desert level is 0
when calculated using the probabilities regarded as relevant by the com-
patibilist, and yet God has determined that he will make a blameworthy
choice. The intuition that Abe's circumstances are unfair (compared to
Ben's) immediately reappears. For those troubled by moral luck in the
first place, the egalitarian solution loses its appeal.

There are two upshots here. First, theological determinists who accept
compatibilism cannot plausibly make use of the notion of equal moral
opportunity to solve the problem of moral luck. For those who find moral
luck troubling, this is a cost. Second, if equal moral opportunity really
does solve the problem of moral luck, incompatibilists can press fairness
or moral luck based objections to compatibilism without worrying that
they themselves must accept intuitively unfair results in cases like Killer
and Would-be killer.

I should note that theological determinists who reject compatibilism
and instead deny that humans are ever morally praiseworthy or blame-
worthy have a solution to the problem of moral luck available. Since, on
this view, neither Abe nor Ben is blameworthy at all, neither has expe-
rienced bad moral luck compared to the other. So only compatibilist
theological determinists are at a disadvantage regarding moral luck. But
denying that humans are ever praiseworthy or blameworthy is itself an
unattractive view.

One objection to my notion of moral equal opportunity is that it
implies that God cannot be morally praiseworthy (or cannot earn moral
credit). On my view *no-lose scenarios* (in which an agent has a chance to
earn praise but not a chance to earn blame) are impossible. This is because
if someone found himself in a no-lose scenario, it would not be possible
for his expected desert level to be 0. So if God has the opportunity to earn
praise, then he must also have the ability to earn blame. However, the fol-
lowing claim is quite plausible:

No Blameworthy Option: God cannot do anything for which he would be blameworthy. The No Blameworthy Option is motivated by the following attractive claims:

(i)   God is necessarily moral perfect and
(ii) Being morally perfect is incompatible with being blameworthy for anything.

If the No Blameworthy Option is true then God cannot be praiseworthy unless it is possible for agents to be in no-lose scenarios. So my view leads to the result that God is not praiseworthy. This may seem like a quite bad result, but I will argue in Section 11.3 that it may be beneficial for theists to accept it.

11.2   Free Will Theodicies and Theological Determinism

One of the most prominent lines of response to the problem of evil is an appeal to the value of free choices. The general idea is that free choices have (or are necessary for something else that has) sufficient value to justify God in allowing evil. I will refer to any approach to the problem of evil that relies on this idea as a *free will theodicy*. It is important to see that theological determinists can make use of some free will theodicies. For example, consider:

> *The Virtuous Response to Suffering Theodicy*: Someone freely making virtuous choices in response to suffering is a great good that justifies God in allowing suffering.

Theological determinists can endorse this theodicy, so long as they are compatibilists about free choices and divine determinism. God can simply determine us to suffer, and then determine us to choose virtuously in response. And there are other free will theodicies that theological determinists can accept as well (see Byerly 2017).

However, I believe that the best sorts of free will theodicies are not available to theological determinists. Let's distinguish between two types of theodicies:

> *Actual-Good Theodicies*: The occurrence of evil E leads to some good which justifies God in allowing Evil E.
> *Prevention Theodicies*: God is justified in allowing the possibility of some evil E because of some good that would occur if E were prevented by someone else. (No justifying good needs to follow from E's actually happening.)

The *virtuous response to suffering theodicy* is an *actual-good theodicy*. A virtuous response to suffering is a good that results from the evil of suffering. But some free will theodicies are prevention theodicies. Consider for example the *responsibility theodicy*. This theodicy maintains that it is good for human beings to be responsible for the positive well-being of others, for their experiencing good and avoiding experiencing evil in their lives. And we could not, the responsibility theodicy claims, be genuinely responsible for the avoidance of a particular evil if God guaranteed in advance that the evil would not happen. For example, suppose Eleanor has the opportunity to rescue Chidi from drowning, and she freely does so. She is thus responsible for Chidi's survival. The *responsibility theodicy* maintains that her being responsible for his survival is a valuable result and the prospect of achieving it justifies God in running some amount of risk that she would choose badly and Chidi would drown.

The *responsibility theodicy* is a *prevention theodicy*; the justifying good (Eleanor's being responsible for Chidi's survival) only happens if the drowning is prevented. The evil need not actually occur. Some evils happen when people fail to take advantage of their opportunities to prevent evil. (As a result the responsibility theodicy is limited in potential scope. It can only be applied to evils which some free creature could have prevented.)

It is hard to see a plausible route for theological determinists to endorse the *responsibility theodicy*. If God is determining everything that occurs, then he can determine that people choose to prevent evil when they have the opportunity to do so. Thus, if compatibilism is true, he can ensure that Eleanor achieves the relevant good of being responsible for Chidi's survival. God does not have to run the risk that Eleanor will make the wrong decision; he can simply determine that she will not. (And if compatibilism is false then of course the *responsibility theodicy* is off the table.) So, pursuing the good of Eleanor being responsible for Chidi's survival does not justify God in allowing the possibility of his drowning. He can ensure that she is responsible for rescuing Chidi by determining her to rescue him.

The point seems to generalize to any prevention theodicy. If theological determinism is true, then it is up to God whether particular evils are in fact prevented by human agents. Thus he does not have to run any risk of E actually occurring in order to achieve whatever goods follow from E's being prevented. So it looks as though prevention theodicies are not available to theological determinists.

Now this is only a problem for theological determinists if there is good reason to prefer prevention theodicies to actual-good theodicies. I think

there are three reasons for preferring prevention theodicies. As Pittard (2018) points out regarding the responsibility theodicy, prevention theodicies allow for the possibility of truly pointless evils that do not result in any outweighing good.[7] If Eleanor does not rescue Chidi, we can say that nothing good whatsoever resulted from Chidi's death. This leads to the first advantage of prevention theodicies. Since they allow for pointless evils, prevention theodicies allow us to easily account for commonsense reactions to evils (see Pittard 2018). We often hope they don't occur, view them as having made things worse, and, in hindsight, wish they hadn't happened. We also think we should not be glad that some evils occur. In contrast, actual-good theodicies face trouble here. If some evil E really does lead to a good sufficient to justify God in allowing it, why would it make sense to hope it does not occur? Why shouldn't we be glad that it happened. After all, the world would presumably have been worse if the evil had not occurred.

Now perhaps there are answers to this challenge available to proponents of actual-good theodicies. (For one attempt to explain why we should not hope for the occurrence of such evils see Pittard (forthcoming).) But a nice feature of prevention theodicies is that they can avoid the challenge entirely. Second, even if actual-good theodicies can account for our emotional reactions to evils, it also seems highly intuitive that some evils (even when factoring in their instrumental value) make the world worse overall. And this claim fits much more easily with prevention theodicies than with actual-good theodicies.

Third, every response to the problem of evil must confront the following challenge:

> **Asymmetry Problem:** Why doesn't God's justification for allowing evil E also justify humans in allowing evil E?[8]

Here again, prevention theodicies have a significant edge. Suppose Eleanor accepts an actual-good theodicy. She might reason as follows: "If I do nothing, then either God will prevent the drowning or not. If God does prevent it, great! If God does not, then there will be a great good that will result from Chidi's drowning. This great good will make the drowning worth it."

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[7] This notion of pointless evil is related to, but not quite the same as, the notion of gratuitous evil. See Kraay (2016) for a discussion of gratuitous evils.

[8] The asymmetry problem is related to a worry often raised in the skeptical theism literature. Skeptical theists posit the possibility of unknown goods that justify God in allowing evil. And the worry is that believing that seemingly pointless evils lead to great unknown goods will distort human morality. See Sehon (2010) for a version of this worry for skeptical theism.

Now it is easy to think of cases in which this reasoning goes wrong. Imagine Chidi is a friend of Eleanor's. It is plausible that she would then have a special obligation to save Chidi even if his death results in some great good. But suppose instead that Eleanor is considering whether to rescue a complete stranger; now it is hard to see why she should not refrain. If some resulting good, such as a virtuous response to suffering on the part of Chidi's family, is important enough to justify God in allowing Chidi's death, why wouldn't it do the same for Eleanor?

Again there are possible answers one could attempt here. But a very nice feature of prevention theodicies is that, in a great many cases, they easily handle the asymmetry problem. Suppose that the reason God is allowing the possibility of Chidi's drowning is so that Eleanor can be responsible for saving him. Obviously this reason does not justify her in not saving Chidi. She achieves the good God is aiming at only if she does rescue Chidi. So again, it looks like prevention theodicies provide an advantage.

Clearly I have not shown that prevention theodicies ultimately succeed or that actual-good theodicies are hopeless. But it does appear that prevention theodicies have two significant advantages. Thus, we can see that accepting theological determinism comes with an additional cost. One must give up on prevention theodicies.

11.3   Divine Praiseworthiness and the Asymmetry Problem

Recall that equal moral opportunity leads to the result that God is not morally praiseworthy. It is important to see that this does not mean that God is not maximally virtuous. If we accept equal moral opportunity, then in many cases praiseworthiness and virtue will come apart. If an agent is so virtuous that it is easy to act well, not much praise will be earned. We can make the claim that God is not morally praiseworthy less unattractive by emphasizing that God is maximally virtuous and that it makes sense to admire virtue, even if the virtuous agent does not deserve credit for being virtuous.[9]

Additionally, the claim that God is not praiseworthy can help us make further progress on the asymmetry problem within the framework of the responsibility theodicy. Suppose that God allows the possibility of Chidi's drowning so that Eleanor can be responsible for saving him. We might

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[9] One could also maintain that God is morally responsible without being morally praiseworthy or blameworthy. Perhaps God is neutral-worthy for his actions.

wonder, "why didn't God just ensure Chidi's survival himself?" After all, in that case God would be responsible for Chidi's survival. Why is Eleanor's responsibility for Chidi's survival more valuable than God's responsibility for it?

One (ultimately inadequate) answer maintains that God wants to increase the number of people responsible for goods in Chidi's life. It is better if both God and Eleanor are responsible for some of the goods in his life. However, anyone attracted to this answer must face a lingering asymmetry problem. Consider this case:

> **Rescue:** Eleanor sees Chidi drowning. She could throw a raft out to him. But Eleanor has already aided Chidi significantly in the past, and she is already responsible for many goods in his life. Jason is nearby and there is a 50 percent chance he will freely rescue Chidi if Eleanor does not.

If it makes sense for God to pass the buck to Eleanor in order to increase the number of people responsible for goods in Chidi's life, then we need an explanation of why Eleanor should not pass the buck to Jason for the same reason. There is still an unexplained asymmetry.

But if we accept the view that God is not morally praiseworthy, we can explain why Eleanor's passing the buck to Jason is not analogous to God's passing the buck to Eleanor. If God is not praiseworthy we can say that his reason to refrain from rescuing Chidi is:

> **God's reason to refrain:** If God refrains from rescuing Chidi, then the probability that someone will be praiseworthy for rescuing Chidi increases.

This is not a reason for Eleanor to refrain, since unlike God, she would be praiseworthy for the rescue. She can guarantee that someone will be praiseworthy for the rescue just by rescuing Chidi herself. But since God cannot be praiseworthy, he leaves things to Eleanor in the hopes that she will be praiseworthy for rescuing Chidi.[10]

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[10] Thanks to Peter Furlong and Leigh Vicens for very helpful comments.