

SOURCE OF THE PROBLEM. Why should there be a problem of moral luck? Not because, Nagel says, we attach value (goodness or badness) to things outside of our control. We do that in other cases, as in judging diseases bad, including inherited conditions. Rather, the source of the problem is in judging, not a state of affairs, but an individual as good or bad. The difference is in the pair of judgements:

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- (12-1) a. It is bad that Lenin exists.
b. Lenin is bad.

Only the latter judgement exhibits the typical features of a moral judgement. This is because in judging Lenin bad we judge him as someone whose badness results from factors within his control. In judging a state of affairs morally bad we do not necessarily imply that it got bad through someone's morally bad behaviour. Thus a judgement analogous to (12-1a) would be:

- (12-2) It is bad that some children are born with Downe syndrome.

As far as I can see, the predicate 'x is bad' in all of these utterances can be (indeed, should be) a shorthand for 'x is morally bad', and yet the judgement might still not be a moral judgement. This is because (as I understand it) we should allow that morally bad states of affairs can occur through no-one's fault and through factors outside of anyone's control.

To pass a moral judgement is to be able to coherently apportion blame to an agent. But when everything is said, many actions for which agents are blamed may be shown to be outside of their control. And in these circumstances many of the pre-theoretic moral judgement would lose their ground.

EVADING THE CONTROL REQUIREMENT. It may be argued that the control requirement—the idea that moral judgement goes hand in hand with the level of control exercised by the agent—should be discarded. But this, Nagel says, is not a live option. Our requirement is not a simplistic philosophical theory, but rather a view held intuitively. It is an outgrowth of common beliefs associated with moral responsibility.

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KINDS OF LUCK. There is not one kind of luck relevant to moral assessment, but several. Nagel offers the following taxonomy:

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Constitutive What an agent is in terms of his talents, temperament, and innate preferences (such as, e.g., sexual preferences) are not within his control.

Circumstantial Which circumstances the agent operates in, such the circumstance of being a citizen of Nazi Germany in 1938, is not within his control.

Causal The outcomes of one's actions are in part determined by circumstances not within one's control, such as the case of a truck driver who kills a child only through a minor negligence of his own.

Volitional Even supposing that there is free will, particular voluntary actions take place under specific circumstances. Hence particular volitions are generated only within such specific circumstances. But if these circumstances are not within one's control, neither are those generated volitions.

CAUSAL LUCK. In the cases of causal luck, we experience situations of *contingency*. These can be characterised by the fact that minor variations in initial conditions lead to dramatic changes in the outcome. The child is injured if he happens to be at the spot where the truck driver performed a slightly dangerous manoeuvre. If the child were only five seconds late, nothing would have happened. No moral blame, or very little would have been assigned. As things stand, a colossal blame is assigned instead. Alternatively, the truck driver could have performed a *very* dangerous manoeuvre. But very little blame would be assigned if no-one is injured.

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Williams' chief concern is situations of uncertainty where decisions are taken whose consequences could not well be foreseen. If responsibility and culpability are to depend on unfolding circumstances,

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then the position seems absurd. How can a man be responsible not only for his intentions and character, but for the interventions of fate? One remedy offered is to shrink the scope of responsibility, to make a person strictly responsible only for his 'will'. But as Adam Smith noted, this won't be too believable: this is simply not how we think or feel.

CONSTITUTIVE LUCK. If nevertheless we do restrict responsibility to acts of pure will, luck can reappear in the form of inner talents and deficiencies. I should be condemned for acting greedily, having the intention of greed, but doesn't my greed result from an internal disposition? Kant's response was to say that virtue is attainable for everyone. But there is no question that, even if attainable in principle, it is attainable for some with ease, but not for others. Why then should we measure everyone's responsibility with the same ruler?

CIRCUMSTANTIAL LUCK. This form of luck shows the depth of the problem. The person is normally held responsible for what he has in fact done. But if we compare his situation with the more or less favourable alternative situation (being a citizen of the Nazi Germany, for instance), then it begins to look as though the scope of his responsibility will be affected.

THE DIAGNOSIS. Nagel argues that the core challenge of moral luck is the dissolution of agency. Morality sees agent as a whole: it judges an agent himself, not what happened to him. But once we take seriously the various senses of luck, agency shrinks to an 'extensionless point'. An agent becomes, not a whole object, but a class of events. Or in other words, we no longer can pass judgements of the kind (12-1b). We are left only with the judgements like (12-1a).

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