



## Williams, Smith, and the Peculiarity of Piacularity

**ABSTRACT:** *This article reflects on some of the complexities in Williams' discussion of moral luck. It compares this discussion with previous work, especially by Adam Smith, and argues that Williams' fear that the phenomenon of moral luck threatens the coherence of our moral concepts is unfounded.*

**KEYWORDS:** ethics, moral psychology, agency, practical reason

Everyone agrees that Bernard Williams' paper 'Moral Luck' is a tour de force: a typically rich and scintillating engagement with exciting material that, working alongside Thomas Nagel, he very much made his own. It repays close study, and it remains in the mind. This is not least because of the atmosphere of doom that Williams conjures up: the feeling that our moral categories must eventually buckle when faced with the phenomena that he so vividly describes or, in other words, that 'scepticism about the freedom of morality from luck cannot leave the concept of morality where it was' (Williams 1981: 39). Yet, the exact trajectory of his argument is not easy to discern. When it comes to phenomena of justification, luck, atonement, and regret, our practices are indeed rich and puzzling, but it is not, perhaps, so clear that they are in danger of the instability that Williams threatens. Does it remain possible that morality, in these areas, can remain everything that it seems?

Others had noticed the phenomena of moral luck before Williams. Hume discussed it briefly in a footnote, saying that while our sentiments may be more immediately or strongly engaged by one person rather than another, depending on actual fortune attending their actions, nevertheless 'separating the character from the fortune, by an easy and necessary effort of thought, we pronounce these persons alike, and give them the same general praise. The judgment corrects or endeavours to correct the appearance: But it is not able entirely to prevail over sentiment' (Hume 1975: 228, fn. 1). The caveat in this last sentence is immediately brushed aside, however:

Why is this peach-tree said to be better than that other but because it produces more and better fruit? And would not the same praise be given it, though snails or vermin had destroyed the peaches, before they came to full maturity? In morals too is not *the tree known by its fruit*? And cannot we easily distinguish between nature and accident, in the one case as well as in the other? (Ibid.)



If Hume is relatively cavalier about the phenomenon, the same cannot be said of Adam Smith. In three remarkable chapters in *The Theory of Moral Sentiments*, Smith raises many of the problems that trouble Williams (Smith 1976: bk. II, sec. iii, 'Of Merit and Demerit'; Introduction and chapter 1, 'Of the causes of this influence of fortune'; chapter 2, 'Of the Extent of this influence of fortune'; and chapter 3, 'Of the final cause of this Irregularity of Sentiments'). He too finds our practices difficult to understand and even 'somewhat irregular'. He too puzzles over the tension between our actual practices of awarding credit or discredit and our professed morality, according to which it is the quality of mind, the intention with which the agent acted (or, perhaps, the lack of attention with which the agent thoughtlessly or negligently acted) that should determine the moral score. But in the end, unlike Williams, Smith exonerates us. We may not quite judge as, for instance, the deity, the infallible tribunal before whom we may all one day stand, judges. To him, our minds are laid bare. But our capacities to see into each other's minds are dim at best and certainly far from infallible. This, Smith will hold, is at least part of the resolution of the tension although other parts play a role, as we shall see. One aim of my study is to bring Smith's own discussion into the light. We shall find that in some respects it chimes in with Williams' but that it also provides material to lift the threats that trouble the latter.

## I.

Smith, like Williams, is not concerned with the constitutive luck that was involved in our becoming what we are: accidents of birth or fortune or ability or temperament. In this discussion both are concerned with 'outcome luck', or what Smith calls fortune, which is the way in which known unknowns or even unknown unknowns are all too often largely responsible for the fact that we are involved in some awful (or fortunate) event or succeed or fail in some endeavor. Smith was writing before Kant, whom Williams holds responsible for the aporia he discusses; nevertheless, Smith was quite clear that these gifts or hazards of fortune ought to be discounted as we judge the merit or demerit of the agent. Indeed, he implied that this has always been a central moral tenet:

The only consequences for which he can be answerable, or by which he can deserve either approbation or disapprobation of any kind, are those which were some way or other intended, or those which, at least, show some agreeable or disagreeable quality in the intention of the heart, from which he acted. To the intention or affection of the heart, therefore, to the propriety or impropriety, to the beneficence or hurtfulness of the design, all praise or blame, all approbation or disapprobation, of any kind, which can justly be bestowed upon any action, must ultimately belong. (TMS.II.iii, Introduction)

This is what Smith calls a general maxim of our morality, and in the following passage he refers to this as the ‘equitable maxim’:

Everybody agrees to the general maxim, that as the event does not depend on the agent, it ought to have no influence upon our sentiments, with regard to the merit or propriety of his conduct. But when we come to particulars, we find that our sentiments are scarce in any one instance exactly conformable to what this equitable maxim would direct. The happy or unprosperous event of any action, is not only apt to give us a good or bad opinion of the prudence with which it was conducted, but almost always too animates our gratitude or resentment, our sense of the merit or demerit of the design. (TMS II.iii.3.2)

Here, what Smith calls the ‘event’ is the upshot or outcome. What he puts by saying that it ‘does not depend on the agent’ might be better put by saying that it depends at best in part upon the agent, but it is the other parts, those outside the agent’s control, whose actual or possible variations often determine the happy or unprosperous outcome. But that outcome in turn affects our sense of the ‘merit or propriety’ of the conduct or of the agent’s design.

The effect of this influence of fortune is, first, to diminish our sense of the merit or demerit of those actions which arose from the most laudable or blamable intentions, when they fail of producing their proposed effects: and, secondly, to increase our sense of the merit or demerit of actions, beyond what is due to the motives or affections from which they proceed. (TMS II.iii.2)

It is significant that unlike Williams, who is more concerned with an agent’s own regrets or self-justifications, Smith is more interested in the third-person judgment or perhaps more centrally with the second-person judgment of the affected party: the one who might most obviously bear resentment or gratitude to the agent, but whose resentment or gratitude, Smith avers, will generally vary depending on the outcome rather than on the intention to which our ‘equitable maxim’ would direct us. In associating the second-person and third-person responses, he is true to his overall picture of the relation between the view of the party directly affected and the view of the disinterested spectator. It is a central tenet of his system that precisely when the disinterested spectator sympathizes with the resentment or gratitude of whoever is, or could have been, directly affected, that third-party judgment comes about. When, for instance, the third party could not sympathize with the feelings of the person directly concerned, judgment is entered against that person: when she can and does sympathize, judgment is entered for or against the agent of the deed in question. We shall see later that this difference between the relatively public aspect of Smith’s approach and the relatively more individual first-person tenor of Williams’ discussion assumes considerable importance.

There is one aspect of our sense of the ‘merit or demerit of the design’ that is largely present in practice, but for the sake of the discussion, we are supposed to put it aside. That aspect is the way in which the success or failure provides a piece of evidence, a guide to the merit or demerit. The very fact of success or failure can argue that even if we cannot put our finger on it there ‘must have been something’ either swaying the agent toward the prosperous outcome or towards the disastrous outcome, or leading the agent to do or fail to do something, and so precipitating the disastrous outcome. When that is so, of course, we are not talking any more about outcome luck or fortune, but about a feature of the agent’s mind or character. One thing that makes discussion of these cases difficult is that while the philosopher can tell us that we must ignore this epistemological element for the sake of the thought experiments, it may sway our practice more than we realize. We shall see later why it looms so large in the epistemology of our recovery of the past.

The cases Smith brings forward to make the tension apparent are very similar to those Williams presents. Whereas Williams has his innocent lorry driver, Smith has someone who cannot quite manage a horse and as a result injures or frightens a bystander:

The person himself, who by an accident even of this kind has involuntarily hurt another, seems to have some sense of his own ill desert, with regard to him. He naturally runs up to the sufferer to express his concern for what has happened, and to make every acknowledgment in his power. If he has any sensibility, he necessarily desires to compensate the damage, and to do every thing he can to appease that animal resentment, which he is sensible will be apt to arise in the breast of the sufferer. To make no apology, to offer no atonement, is regarded as the highest brutality. Yet why should he make an apology more than any other person? Why should he, since he was equally innocent with any other bystander, be thus singled out from among all mankind, to make up for the bad fortune of another? This task would surely never be imposed upon him, did not even the impartial spectator feel some indulgence for what may be regarded as the unjust resentment of that other. (TMS II.iii.2)

However, unlike Williams, Smith started his discussion by noticing a parallel fact about our sentiments toward both inanimate objects and animals. He thinks we would look askance at a sailor who saves himself by swimming on a plank and then promptly burns the plank; he cites our attachment to everyday objects that we have used or taken pleasure in for a long time, and he encourages our indignation against the Turkish officer, who after being saved by the remarkable swimming of his horse, promptly killed it in order to prevent it from providing the same service to anyone else.

In all these cases the happy or unhappy history should alter our relationship to things, animals, or persons involved in that history. It introduces the idea of a dimension of assessment close to that of morality, yet also different from it, as its application to inanimate things and animals shows. And then Smith similarly

considers other cases where the equitable maxim comes under pressure. These are cases where intention is not the same as commission. Smith cites the general whose marvelous plan with its inevitably successful outcome is thwarted by a timid or idiotic government and who for that reason does not reap the reward, either in his own eyes or those of others, which success would have given him. Smith points out that in criminal law a proven design to commit a crime is scarcely ever punished the same way as the actual carrying out of the plan. He cites cases where a person with the design to commit some atrocity, but fortunately dissuaded by some better counsel, is ever after grateful at having been saved from himself, from having gone over the edge and having got into a state in which not only the criminal law but the general opinion and his own opinion of himself would have pronounced the severest verdicts upon him. Smith also highlights the positive case, citing the way in which a successful attempt to help a friend commands gratitude, while an equally strenuous attempt with the same chance of success but turning out unsuccessful will be received with proper thanks but will get only a cooler acknowledgement and will fail to tie us to the would-be benefactor as success would have done. And we, the third party or impartial spectator, understand the difference very well. Finally, although Smith is unhappy about the injustice of shooting the messenger with bad news, he sympathizes with the way generals choose some special favourite to deliver good news, knowing that they will be thanked and feted and promoted as if they had had some special part in the news itself.

In short, Smith has a keen and imaginative eye for what his chapter heading calls the influence of fortune. At the risk of over-egging the pudding we might, perhaps, add both a contemporary example and a historic one. Suppose a nice Gibson guitar, a little used, is hanging here on my wall. It is worth, perhaps \$500. But no, this is the *very guitar that Jimi Hendrix played* in his final concert. That is, the guitar actually (through having luckily been in the shop window one afternoon, as it were) is worth millions. In medieval times this very cup, this very wood, this very thorn could bring prosperity and fame to a cathedral and its city. And then, historically, there was also the downside. Both canon and civil law recognized the status of the deodand. This was an inanimate object involved in some serious accident, usually causing a death, and the status meant that it became forfeit to the church or state and was withdrawn from the ordinary profane world and its uses. And we can understand that: if I invite you to Sunday lunch and casually let on that the knife I am using to carve the turkey was the very one that the assassin used to kill my children, you will find me creepy and horrifying. In the United Kingdom recently a young man was killed by another on a motorbike. The driver of the bike was imprisoned for a relatively short time, but the motorbike was not forfeited. When the driver came out of prison, ready to ride again, the father of the dead man attacked and destroyed the motorbike with a sledgehammer. He was convicted of criminal damage, but the extenuating circumstances led to a nugatory sentence, and we all understand why. (For interest: the status of deodand was repealed in both the USA and the UK in the 1840s when the new railway companies protested that their hugely expensive locomotives were the principal candidates for forfeiture.)

Some of Smith's examples are slightly different. In what we might call pure history cases, there is nothing distinctive about the object except the part it played in some historic state of affairs: Jimmy Hendrix's guitar, the sailor's plank, the carving knife, or the motorbike. There is no reason whatever to suppose these objects to be better or worse than other guitars, planks, knives, or motorbikes. There is no reason to suppose the messenger a better soldier than any other unless the distinction of having been chosen as messenger is itself an earnest of his abilities. The same might be true of the guitar if Hendrix was a particularly discriminating buyer of mass-produced guitars, but let us suppose he was not. Even if he had been, whatever virtues he noticed would not bump up the instrument's value very much, independently of its history.

In lorry driver and horse rider cases, as well as in many cases of gratitude and resentment, the judgment is not so clear. Indeed in Smith's case there is clearly a doubt whether the rider *ought* to have been riding that horse and whether or not he was 'at fault'. If the lorry-driver feels agent-regret, he is probably going to torment himself with whether he *ought* to have been more attentive, driving slower, or whatever. Here agent-regret or self-reproach (Williams appears to use the two in effect interchangeably) is indeed triggered by bad outcome luck. It may take the form of regret at having been in the lorry just then or at having been allocated that horse, but for this regret to take hold of us there must be worries in the offing about whether we *should* have done differently. When we consider cases in which there is causal involvement of agents, but where the *ought* or *should* is totally absent or fanciful, the cutting edge of regret typically lapses. For example, suppose I am walking slowly down the street, perhaps because I have a burden or a slight impediment, and so am very slightly holding up people behind me. Then a slate falls off the roof and kills one of them. In that case the counterfactual 'had I not walked as I did, he would not have been killed' may be true, but I cannot reproach myself and would be mortified if others did. Alternatively, consider a positive case. Let's assume I am in a queue to buy a lottery ticket. The person ahead of me orders five tickets, but then decides he needs the money for a taxi and buys only four. I pick up the leftover ticket and win millions. I might feel some kind of gratitude to the man in front, but not much. In other words, it seems as though a more direct causal involvement than a simple 'but for' counterfactual dependency sways our sentiment, and it seems to me very likely that the hovering 'should' explains the difference. But there is clearly no 'should' attaching to the plank, guitar, knife, or motorbike. As far as the history goes, they are perfectly good specimens of their kind—but they are cursed or blessed, as it were, by an accident of history.

Smith does not straightforwardly associate how we feel about responsibility with the presence of a hovering 'should':

By the wisdom of nature the happiness of every innocent man is, in the same manner, rendered holy, consecrated, and hedged round against the approach of every other man; not to be wantonly trod upon, not even to be in any respect, ignorantly and involuntarily violated, without requiring some explanation, some atonement in proportion to

the greatness of such undersigned violation. A man of humanity, who accidentally, and without the smallest degree of blamable negligence, has been the cause of the death of another man, feels himself piacular, though not guilty. (TMS II.iii.3)

The term ‘piacular’ has fallen out of use since Smith’s time; a person is piacular when he or she owes some kind of expiation (the same etymological root: *piare*, to propitiate or appease) through having been involved in a bad event in some way that need not have been obviously that person’s own fault and certainly not his or her intention. It is not clear to me what Smith would have said about the pedestrian case. He is specifically talking about an agent who has been ‘the cause of death’ and although the slow pedestrian is part of the whole train of events or causal field that ended in a death, it would be unjust to describe him as *the* cause. In these kinds of cases looking for *the* cause seems to be a quest belonging to tort law, rather than to physics or metaphysics, and the tort lawyer’s concern is to allocate fault and blame. There is indeed good evidence that, in general, allocations of causal responsibility are heavily responsive to moral interpretations of the case, and any purely physical or metaphysical investigation of what counts as the cause as opposed to an accessory cause or a subsidiary part of the causal field is unlikely to deliver determinate results (cf. e.g., Nichols and Knobe 2007; for ‘Knobe effect’ see Knobe 2003).

Nevertheless, Smith may be right that innocent and accidental damage may put a person in a piacular position. And he has given us enough cases to recognize the parallel status as belonging to inanimate involvement, animal involvement, favourable or unfavourable involvement. It is a pervasive aspect of our wider evaluative life—wider, that is, than simple imputations of guilty intent or guilty negligence. History and involvement seem to matter across the board. When we consider the urge to offer atonement, apology, or reparation, Smith does not go quite as far as Williams in saying that ‘it would be a kind of insanity never to experience sentiments of this kind towards anyone, and it would be an insane concept of rationality which insisted that a rational person never would’ (Williams 1981: 29). But Smith is equally clear that we expect these sentiments from each other and that they are deeply up with our practical and moral lives. As he said in the excerpt quoted above, ‘To make no apology, to offer no atonement, is regarded as the highest brutality’.

However, although this is undoubtedly the state of things, we do recognize that history and luck need not matter in one way. There is no temptation to think that the guitar is a *better* guitar, nor the knife a *worse* knife, or the bike or cup a *better* or *worse* bike or cup than others from the same production line. They are just *special*. They are, as it were, cursed or blessed by history, just as Oedipus is cursed by happenstance. Oedipus is no better or worse than others (at least, others who are similarly prone to the venial sin of road rage), but by misfortune he becomes special enough to feel he has to cast himself out from sight and from the city. He becomes an outcast in his own eyes and in those of others and cannot even offer indemnity.

Certainly there is a puzzle here. It is particularly clear if we are virtue theorists, and surely that speaks to part of our practices of judgment. We already have a clue that we may be in an evaluative space that is somehow a different domain from

that of the moral, although certainly a close neighbor, just as the huge valuation of the Hendrix guitar is in no way a result of the standard practice of judging guitars. This is clearly how Hume, who attached merit or demerit primarily to the character of an agent, saw it, and in the end Smith is going to lead us in that direction, acknowledging that the 'equitable maxim' can bounce back:

Notwithstanding, however, all these seeming irregularities of sentiment, if a man should unfortunately either give occasion to those evils which he did not intend, or fail in producing that good which he intended, Nature has not left his innocence altogether without consolation, nor his virtue altogether without reward. . . . He summons up his whole magnanimity and firmness of soul, and strives to regard himself, not in the light in which he at present appears, but in that in which he ought to appear, in which he would have appeared had his generous designs been crowned with success, and in which he would still appear, notwithstanding their miscarriage, if the sentiments of mankind were either altogether candid and equitable, or even perfectly consistent with themselves. The more candid and humane part of mankind entirely go along with the effort which he thus makes to support himself in his own opinion. (TMS II.iii.3.6)

We have, as it were, Oedipus at Colonus when he is reconciled with his daughters, speaking vividly about how he was not morally responsible for the tragedy and is honorably received by Theseus and Athens. This possibility of redemption in the eyes of the candid and humane part of mankind gives us a rather different assessment from the one toward which Williams directs us. Even the holy or unholy relics can lose their aura, and one day the Hendrix guitar might be taken off the wall and be sold like any other used instrument.

## 2.

Williams is more concerned with the agent's own attitude to his own past conduct than any more public dimension of criticism or forgiveness. Accordingly, he imagines his Gauguin considering whether his original decision to abandon one life and start another as a painter was justified. Williams wants to say a number of things about this, including:

- (a) Gauguin's question should not be whether the people he ostensibly wronged (his wife and children, primarily) can ever be expected to forgive him. They cannot. Similarly, Anna knows that she could never justify herself to the abandoned Karenin or even, presumably, to Seriozha, her son. Still, there is a different question of justification.



- (b) Only success as a painter can justify Gauguin; only success in the life she takes up with Vronsky can justify Anna.
- (c) Accidental, external interference with that success would take away that justification, but at least not leave him or her unjustified. It would leave the question open.
- (d) But failure intrinsic to the project, failure as a painter would leave Gauguin unjustified, with 'nothing to say', and Anna and Vronsky's failing relationship leaves Anna similarly unjustified.

There is much to consider here. But to begin at the end, is it right that failure as a painter 'unjustifies' Gauguin or, by analogy, Anna? Williams holds that *extrinsic* luck (e.g., an accident befalling Gauguin on the way to Tahiti or Vronsky having a fatal fall off a horse) leaves the case open, as (c) asserts. Hume, we may remember, was not silenced by incidental or extrinsic luck. In the case of the peach tree, the external or incidental luck of snails or vermin is supposed to be utterly discounted in our considered judgment of the tree. Presumably, if a tree is intrinsically more susceptible to snails or vermin than others, this is a flaw in its nature or character: it lacks a virtue that others have. It is when the failure arises from factors that, however unknowable at the time, were 'intrinsic' to the project that self-reproach bites. Williams is not insensitive to there being a continuum here, or a slippery slope. Suppose Gauguin catches an unidentified tropical illness or meets other problems unforeseeable in detail but perhaps not entirely foreign to his project (his paints get eaten by ants or the natives steal his brushes). In the case of the peach tree, with repeated seasons, we can begin to judge whether the snails or vermin are more of a hazard to this tree than to others, and hence we learn whether their predations are signs of an intrinsic weakness, a fault in the tree, or are purely external. But with Gauguin and Anna, we only have the one episode to go on, and separating the two factors may be much more difficult, if not impossible.

So suppose that, not even knowing why, Gauguin is filled with lassitude and doesn't do much painting. This sounds like an 'intrinsic' infirmity. Would even this leave him with nothing to say in his own justification? Surely not. 'Well,' he might say, 'at least I gave it my best shot. I had to try. I would always have been embittered and envious of others who went that way if I hadn't had a go at it.' Again, Anna is all too aware that the world sympathizes with Karenin and blames her, but she too might have plenty of things to say in her justification, even after her idyll with Vronsky goes sour: 'It was becoming intolerable. I needed more than Karenin could provide. If I hadn't followed my heart, I would have shriveled up, become bitter, hateful. . . . I had no way of knowing how things would turn out.' And these things may be true and may soften the more openhearted or, as Smith calls them, candid, moralists. These points certainly amount to attempts at a kind of justification, and it seems to me, the attempts are successful insofar as they might not only mollify others who begin by regarding Gauguin and Anna as simply having been stupid or careless but also soothe any self-reproach Gauguin and Anna feel.

Cases that are less morally fraught are surely common. Promising teenagers give up everything else to go to the Juilliard school or the Royal Academy of Music

to follow their dream of being concert artists. Only a very few succeed. Do the others have nothing to say to justify their decision? Very moderate mountaineers sometimes get it into their heads to climb Everest. It is very expensive indeed: they need guides and Sherpas to lug them up, and even so it is quite unforeseeable whether bad weather or altitude sickness or simple lack of strength will prevent them from completing the climb, or even kill them. Some who fail may kick themselves for having even tried. But others will not only be stoical about it but even quietly proud that, again, they gave it their best shot. Apart from anything else, by acting on their hopes, the mountain climbers learned things about themselves and about the magnitude of the task they thought they might accomplish. They get to understand the extraordinary talents of successful mountaineers better, and we seldom regret increases in our understanding.

And then, what exactly are Williams' actors asking themselves? He hints that he is not sure what the attempt at justification amounts to, and I am not sure either. Part of my problem is that just as the words 'rational' or 'irrational' are so often placeholders, doing little more than pointing us, peremptorily but obscurely, in the direction of some supposed dimension of virtue or fault that our conduct may have exhibited without actually telling us what that dimension might be, so if we learn that Gauguin and Anna wonder whether they were 'justified' in their course of action, we do not yet know in what particular direction their worry may be taking them. Evidently they are not worrying about what the abandoned partner and children may be thinking of them, for resentment in those quarters is a given. As Smith would be quick to point out, Gauguin and Anna cannot be worried about what the disinterested spectator might think because that spectator would surely sufficiently sympathize with the spouses' and childrens' resentment or indignation to think that the latter are right to feel aggrieved.

Williams tells us that he is interested in 'agent-regret'. Now an agent may regret his decision and subsequent course of action without doubting that it was the one he had to follow. Turning to cases where no identifiable wrong was done to anybody, our mountaineer may wish he had never gone—it was agony from start to finish—but also remain quietly proud of having at least tried. He need not reproach himself for having tried although the outcome was dire. The pupil who nearly but not quite makes the concert platform may regret the opportunity cost: the fact that he could have gone to law school and now be settled into a better course of life than that of an orchestral musician or street busker. Yet, the musician could regard his eighteen-year-old self who entered the conservatoire so full of high hopes with a kind of quiet satisfaction. When things do not turn out quite as we hoped, we do not automatically blame our decision making. We do not have to reproach ourselves.

Of course, that decision making may have been inept and foolish. Others with experience may have known and repeatedly told our musicians and mountaineers to not even try to follow their dreams. Perhaps there was plenty of evidence that the young musician was not really very good; perhaps the mountaineer found it a struggle to get up Snowdon. Someone like Cézanne might reasonably have pointed out that someone like Gauguin could not paint, and others might have told Anna

that Vronsky was a bad lot. If this had been the case, then in deciding to push on, they manifested flaws: they ignored evidence; they were pigheaded; they should have known their endeavors would end in tears. Agents can certainly revisit their decision making afraid that it can be put in such a light, and perhaps this is the kind of reflection that is most naturally expressed by the question, 'Was I justified?' This question amounts to asking, 'Should I have known better?' Of course, the answer to this can vary.

Williams goes on to puzzle over the kind of judgment we might make when judging our past decision making to have been at fault although we do not regret the outcome or vice versa. According to Williams, saying 'I was/was not justified at the time' can only be sensible in the context of a decision about a potential future case or cases. It would be something akin to a policy decision. But that is far from clear. You can certainly look back on a past decision with a shudder although the outcome was fine. You were cold and tired and decided to take the shortcut down the gully off the mountain, in spite of its evil reputation. You got home safely, but five minutes later another (independent) party made the same choice and was killed by an avalanche. You made a very foolish decision that still makes your hair stand on end when you think of it, but in judging that past decision you don't seem to be intending or planning for the future, since your Alpine days are over.

It seems that the first-person cast of the discussion has got in the way. The question of whether your decision was defensible is the question of whether in *those* circumstances *such a* decision would be defensible, and this is a question that invites public assessment, the interchange of advice, and the potential coordination of opinion. Your own Alpine days are over, but it is important for everyone to realize that it is idiotic to take certain risks when you do not have to do so. You can well understand that you were at fault, that you were insensitive to features of the situation about which you should have known better, even when you got away with it. You do not regret getting off the mountain. But you know you were at fault for doing it as you did. You do not have a defense against the experienced guides who berate you for your behavior.

It is not clear to me that Williams really intends to deny any of this. He allows, for instance, that the imprudence of a trustee who makes a risky but successful investment can be a matter of impersonal concern, and the trustee himself can presumably internalize the criticism. But it is right to notice that in the mountaineering case, in which no moral wrong was done to anybody, it would be odd to *reproach* yourself for your decision. You can disown it and bow your head before the guide telling you how stupid it was, but reproach seems too strong. But it would be in place with a vengeance had the avalanche caught your companions.

It is notable that Gauguin and Anna are rather different in pervasive ways that attend many of our most weighty decisions and that might help us to appreciate Williams' puzzle about the content of the question of justification. As I have mentioned, one significant factor is that in both cases there is from the beginning a moral element: Gauguin and Anna each abandon or betray people who had reason to trust them and to whom they owed duties. In other cases this is not so. But

a more important point here is that in the case of Gauguin and Anna there may not have been anybody taking the role of the experienced guide who knows the terrain better and who can flatly point out that the risk taken was stupid. For very probably there was nobody with the expertise to know in advance how the dynamic between Anna, Vronsky, Karenin, Seriozha, and the surrounding society would turn out. There is no expertise to tell in advance that Gauguin's quest has no more than a tiny chance of paying off. Therefore, as these characters look back, there is nothing *except* the outcome on which their reflection on their past decision can get a substantial purchase.

Or rather, even if there had been anyone with such expertise, our two protagonists very likely were in no state to listen. For they have no privileged access to their past decision making, and indeed may be inexorably debarred from it. The persons now reflecting on that time are not the ones who at that time saw their reasons through the prism of their needs, desires, concerns, and passions at that moment. Proust clearly saw this when he was talking about poor M. Swann reflecting on his past after he has substantially recovered from his painful, jealous, deceived infatuation with Odette de Crécy (although he is about to marry her):

[I]t is so difficult to enter into a state of complete duality and to present to oneself the lifelike spectacle of a feeling which one has ceased to possess, that very soon, the clouds gathering in his brain, he could see nothing . . . and settled back into his corner with as little curiosity, with as much torpor as the drowsy traveller who pulls his cap down over his eyes so as to get some sleep in the railway carriage that is drawing him, he feels, faster and faster, out of the country in which he has lived for so long, and which he vowed that he would not allow to slip away from him without looking out to bid it a last farewell. (Proust 1934: 289)

It is worth pointing out here that Proust also thought, perceptively, that only surprise memories of sense-experience long held in abeyance could immediately, but briefly, efface that duality. One wonders what he would have made of philosophers who think that our reasons for acting are accessible without any empathetic understanding of the feelings through which those reasons became our reasons. What Proust describes in the excerpt above would be like my asking whether I was justified, as a child, in pestering my parents for some toy, when I now cannot remember or even imagine the craving that had taken hold of my child self. Or we might compare it to seeing a photograph of myself in, say, the standard male attire of a young man in the 1970s and marveling at what on earth I could have been thinking to want to dress like *that*. In the event, my more or less successful navigations of my social world are about all I have to go on since I can't remember what it was that made those clothes and that hairstyle so irresistible. And it is worse if things go badly. Anna, in her misery, will be unable to remember with any precision the sentiments that overwhelmed her young heart. No longer wrapped in her infatuation with Vronsky, her previous self, the young creature with its

own passions and dreams to whom Vronsky appeared so godlike, is but a dim and opaque memory, a purely intellectual datum all of whose details have been obscured by time and change. If Gauguin had failed and become disenchanted with painting, he would be in the same situation. What Proust calls the duality, the necessary ability to inhabit the mind of the past agent, is gone. And speaking for myself, I think the torpor that came over M. Swann is exactly right: it is wearisome, futile, to try to relive those vanished selves. All that remains is happiness at the good luck if things went well or sadness at the outcome if they did not.

Just because the original process of decision making is now dim and alien, there is no light on the past to give any substance to the judgment that we *should* have decided otherwise—apart from the fact that it was our decision and it turned out one way or the other. Here, the epistemological power of the actual success or failure, the very thing we are supposed to be discounting, makes itself the complete master of the field. With nothing else to go on, Anna's best evidence that her decision making was flawed is the sad state of her life. If we discount the wrong done to Karenin and Seriozha, neither Anna nor her peers may be in any position to judge anything else. Such memories as there are need not indicate a flaw (apart, once again, from the intrusive element of betrayal) but at worst only another piece of bad luck. And that bad luck would be constitutive bad luck, the kind that made Anna the susceptible romantic she was and Gauguin the ambitious would-be painter. Of course, these inevitable epistemological indeterminacies leave plenty of room for self-serving retrospectives, when things go well ('I must have had some sixth sense that it was safe') or for morbid self-flagellation when they go badly. Torpor is surely preferable, when we can achieve it.<sup>1</sup>

Smith's discussion suggests that in the other kind of case, where there is an identifiable piece of reasoning to hand, there is no problem about a retrospective approval or disapproval of a process that led to a decision. It is not essentially first-person appraisal, but rather a potentially public one of the kind of reasoning that went on: the movements of the mind that issued in the decision. Williams is therefore unduly pessimistic when he hints that there is a universal difficulty about either 'it was a bad decision, but it turned out for the best' or 'it was a reasonable decision although in the event it turned out badly'. As in the case of the imprudent trustee, such verdicts can fit perfectly well into a social process of evaluating the ways in which our minds were guided toward success or failure. We can make those judgments in the mundane, signposted, cases where we can identify the decision making with any precision, without the judgments being entirely determined by the actual outcomes, the results of fortune. I may still have to hang my head in front of the chorus of guides telling me how stupid I was, even if part of me silently protests that they can't know just how cold and tired and desperate to get down I had been, which would in any case have prevented me from listening to them even if they had been whispering in my ear.

<sup>1</sup> Again, it is hard to believe that Williams was insensitive to these considerations. He did, after all, wage a similar battle himself: 'Good literature stands against the isolation of moral considerations from the psychological and social forces that both empower and threaten them' (1996: 37).

## 3.

I have quoted Smith showing us that the ‘candid and humane’ part of mankind will eventually try to bring its judgments into line with whatever the equitable maxim would indicate. So what is his explanation of the natural divergence that has us paying such attention to the outcomes that, we know, are hostage to fortune?

One open avenue is to separate the glow or the curse that derive from sheer history from reflections on virtue. We manage this in the case of the Hendrix guitar, and we can manage it in human cases as well. Having defeated Napoleon, the Duke of Wellington was (of course) showered with honors and expressions of gratitude and lived the rest of his life with a halo of glory. But that does not prevent historians taking a sober look at his actual abilities and virtues, which were considerable, and also at his blind spots and mistakes and the elements of luck that also determined the outcome of the final battle (‘It has been a damned nice thing,’ as he admitted, with success due to the rain, the timing, and the arrival of Blücher). So we might suggest that it is only our initial and immediate reactions that take in little but the outcome, and when we stand back and look more ‘candidly’, it is the equitable maxim that takes over. And there were doubtless even contemporaries who, while feeling the gratitude and not at all resenting the honors, nevertheless had a fair picture of the man underneath, just as an experienced instrument maker may have a shrewd opinion of the workmanship of the Hendrix guitar. This was very clearly the case with Churchill, whose glory for being Britain’s World War II leader never dimmed but did not dazzle the electorate enough to stop them from judging him to be utterly unsuitable to form a government after 1945.

We can invoke another distinction, congenial to Williams, here. We might say that we have an agent-relative reason to pay one kind of homage to Wellington or Churchill. Benefits demand gratitude, and they benefited us. They saved us from the real risk of terrible dangers. Our gratitude is boundless. But as far as it goes, that is the positive flip side of hating your enemy; the personal passion that is not necessarily the one that comes if you are able to take up the ‘common point of view’, and denominate your enemy in moral terms: a villain, treacherous, cruel, and the rest of it (Hume 1975: sec. 9.1). There may be an asymmetry here. While gratitude is highly sensitive to outcome rather than to endeavor, I do not think there is a parallel negative term. ‘Resentment’ surely implies an injustice having knowingly been committed and whereas gratitude does not similarly imply any *mens rea*. If someone has accidentally caused us an injury, our attitude should not be one of resentment but perhaps just annoyance. However, remembering that our personal happiness is ‘not to be wantonly trod upon, not even to be in any respect, ignorantly and involuntarily violated’ as Smith put it, resentment may often spread beyond its legitimate boundaries to cover, even if only briefly, accidental injuries as well. In the negative case, our default is near to blame, and this too fits in with the attributions of responsibility, which are asymmetric with respect to the two. But we can step back and pay attention not so much to the doings from which we benefited or lost, but to the character that may, or may not, have been well refracted through those doings. In any event, gratitude and annoyance are essentially personal; they

vary primarily with outcome; in themselves they are not moral assessments. So they cannot be part of a phenomenon that threatens the integrity of our moral appraisals of ourselves and each other.

Smith is clear that the ‘candid and humane’ part of mankind can separate fortune and character, just as Hume before him thought that we can ‘easily’ distinguish between nature and accident. The deity, Smith thinks, would never have his sentiments depart from the equitable maxim; being able to see into our hearts, the deity always knows the quality of our minds. And furthermore, although I do not think Smith notices this, the deity has no special relationships, which means that a victory for *us* and a defeat for *them* is intrinsically no better or worse than a defeat for *us* and a victory for *them*. Unlike us, God has no special reason to feel gratitude or despair: God has none of the uncertainties that are intrinsic to hope or fear. His perspective is not ours. For us the actual outcome looms large instead. And so the innocent agent of misfortune can regard herself as having been cursed, and feel piacular, and offer apologies and atonement, and can revisit the events and wonder if she *should* have done differently and taken more precautions.

We applaud her doing so: nobody should be lighthearted about their involvement in bringing misfortune on themselves or others. As we have seen, her anxiety may refuse to settle, because exactly what she was thinking as she decided to do as she did may now be alien or at best remain vague or irrecoverable or capable of different interpretations. And after all, in a person’s own mind self-reproach can take on a life of its own, quite apart from any real admission or doubt about our own character. Williams, of course, knew this perfectly well, and his whole discussion is but one part of his sustained doubts about moral theory and morality itself. It has, for instance, put into abeyance the whole question of constitutive luck and responsibility, which arguably fits ill with our retributive and self-punishing practices.

A mother might bitterly reproach herself for not having delayed her son a little longer, if he then walked across the road just as the lorry came along, although there was not the least reason for her to have done so. Here she is cursed and feels it and, of course, wishes she could have done anything in her power to prevent the event happening. It was a catastrophe; she could so easily have prevented it; she didn’t.

But if we think, and hope that she comes to think, that her character is left without a stain, then morality speaks with one voice, perfectly clearly, without evasion or stress or any kind of fragmentation, on her behalf. If Oedipus can be received not only by his daughters and by Athens but also by Zeus, so can she. We can forgive ourselves as well as others for the unlucky trajectories of our lives, and those include the unlucky ways we may fail our loved ones and the unlucky ways we may stumble into the inviolable spaces that hedge around the lives of others.

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