

respect, and enforce a contract against a person's will when basic liberties are at stake but not incompatible with such citizenship to do so when nonbasic liberties are at stake.

To be clear: I do not mean by any of this to endorse the alienability of basic rights. On the contrary, I believe, like Freeman, that basic rights cannot be alienated or waived under any circumstances. What I mean to say is just that Freeman has not said enough to give a compelling justification for the doctrine of inalienable basic rights—or, at least, he has not said enough to give a justification for this doctrine that philosophically pure libertarians can be expected to find compelling. To be honest, I am not sure what exactly it would take to give a justification for the doctrine of inalienable basic rights that philosophically pure libertarians can be expected to find compelling. I am sometimes inclined to think that the basic liberties and their inalienability are so deep a part of liberal political morality—are such “fixed points” of liberalism, to use a Rawlsian phrase—that they are incapable of further proof of the usual kind. Perhaps the inalienability of the basic liberties is an axiom rather than a theorem, and thus insofar as this inalienability can be compellingly defended, it must be by reference to the overall plausibility in reflective equilibrium of the moral and political outlook that it undergirds, rather than by reference to any more general or immediately intuitive moral idea (such as that of free and equal citizenship) from which it can be derived or under which it can be subsumed. Admittedly, this more holistic method of justifying the inalienability of the basic rights is not without its own problems: since libertarians and liberals start with different priors, it may turn out that there are two reflective equilibria here, neither of which can be shown to be superior to the other without begging the question. But, in any case, it would certainly be interesting to have a more explicit treatment from Freeman of these sorts of methodological questions about how fundamental an explanatory role the idea of inalienable basic liberties plays within the justificatory structure of liberalism and thus about what sort of defense of this idea it is even possible to mount.

All in all, this is an excellent book that advances our understanding of the liberal project in general and the Rawlsian liberal project in particular. It will be of great benefit to anyone interested in liberalism, justice, and the political philosophy of John Rawls.

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Lang, Gerald. *Strokes of Luck: A Study in Moral and Political Philosophy*.  
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Both Fred and Thomas drink and drive, but only Fred has the misfortune of fatally encountering a pedestrian. Adina and Kristin get to choose between pressing two buttons that will have some unspecified beneficent effect, but only Adina makes the lucky choice of pressing the button that saves ten people from death (Kristin's button merely saves one person from a broken arm). Gaugin abandons his family to pursue his dream of becoming a great artist, and, fortunately for him, he succeeds.

Ernest ends up worse off than Bertie owing to a bit of bad luck. Two members of a society happen to receive very different social endowments. Some people have the misfortune of being born on the wrong side of a border.

In each of these cases, the influence of luck raises difficult moral questions. Is Fred more blameworthy than Thomas? Is Adina more praiseworthy than Kristin? Is it unjust that Ernest is worse off than Bertie? Are those beyond the border not equally subject to principles of justice? In *Strokes of Luck*, Gerald Lang ambitiously sets out to answer these questions and more, drawing together numerous debates in value theory by pulling on the common thread of luck that runs through each of them.

The book is divided into two parts. The first presents an extended defense of the claim that there can be moral luck—that is, that a person’s blameworthiness can be partially a function of factors beyond her control. Specifically, Lang contends that when an agent acts from a morally objectionable mental state, her degree of blameworthiness is a function of the actual (foreseeable) consequences that result from the action. Thus, the aforementioned Fred is more blameworthy than Thomas despite the fact that it is a matter of luck that Fred kills someone while Thomas does not. While Fred might complain that this is unfair, Lang argues that this complaint is nullified by the fact that Fred could have avoided any excess blame by simply not acting culpably in the first place. Lang suggests that, by acting culpably, Fred forfeits his claim to having his bad luck neutralized when it comes to comparative assessments of blame. By contrast, neither Adina nor Kristin acts culpably when they push their respective beneficence buttons, and thus Lang holds that they should be judged to be equally praiseworthy even though they do very different amounts of good.

So far, the focus has been on Lang’s view that resultant luck—that is, luck that affects the outcome of an action—is relevant to the assignment of blame. However, he also persuasively argues that there is nothing problematic about assigning differential blame to people who make different choices in virtue of their respective situations and/or constitutions. Part 1 then concludes with a loosely freestanding chapter that, by Lang’s own admission, unsuccessfully attempts to make sense of what Bernard Williams thought about moral luck as illustrated by the case of Gaugin mentioned above.

Having dealt with Fred, Thomas, Adina, Kristin, and Gaugin, Lang turns his attention in the second part of the book to Ernest and Bertie and the associated question of how luck bears on distributive justice. Specifically, he begins with a challenge to the most prominent luck-concerned theory, the aptly named *luck egalitarianism*. Famously, luck egalitarians draw a distinction between luck-based inequalities and inequalities for which the worse-off party is responsible, where inequalities of the latter variety are declared just. The purpose of this distinction is to appropriately handle cases like the following one originally presented by David Miller (“The Incoherence of Luck Egalitarianism,” in *Distributive Justice and Access to Advantage: G. A. Cohen’s Egalitarianism*, ed. A. Kaufman [Cambridge: Cambridge University Press, 2015], 137, 131–50) and recapitulated by Lang: Bertie and Ernest each possess a peach, but while Bertie waits for her peach to ripen, Ernest impulsively eats his, thereby deriving less enjoyment from the peach and generating an inequality between him and Bertie. The thought that motivates luck egalitarians

is that there is nothing problematic about the inequality between Bertie and Ernest—and, in fact, it would be unfair to Bertie if some of her peach were transferred to Ernest so as to restore equality between them. The luck/responsibility distinction, then, is supposed to provide theoretical grounding for this judgment: the reason that the inequality between Bertie and Ernest is just is that Ernest is responsible for said inequality.

Lang rejects luck egalitarianism on the grounds that it falls victim to Susan Hurley's (*Justice, Luck, and Knowledge* [Cambridge, MA: Harvard University Press, 2003], 159–62) Boring Problem, which challenges the theory by threatening to collapse its proposed distinction between luck- and responsibility-based inequalities. Specifically, the Boring Problem notes that the inequality between Bertie and Ernest is not strictly a function of Ernest's choices; rather, it is a function of both Bertie's and Ernest's respective choices. If Ernest had patiently waited to eat his peach, then the inequality would not have obtained. However, the inequality also would not have obtained had Bertie similarly rushed and eaten her peach when Ernest ate his. Thus, it is actually a matter of luck for Ernest that he ends up worse off than Bertie, as his inability to control Bertie's choice entails that he does not control the inequality that results from her choice. Given that luck is incompatible with responsibility—and Ernest's responsibility is a necessary condition of the inequality being just—luck egalitarians must concede that Ernest is the victim of injustice and is entitled to equalizing transfers. However, this defeats the purpose of positing luck egalitarianism in the first place.

Lang takes this objection to luck egalitarianism—at least, as it is standardly interpreted—to be decisive. For this reason, he proposes an alternative version of luck egalitarianism designed to sidestep this objection. Specifically, he suggests that there is some egalitarian baseline share assigned to each person, where any deviation from that baseline is unjust if and only if (iff) it is due to luck. In other words, rather than compare one agent's well-being to another's—a comparison that is influenced by the latter's choices—Lang compares it to a fixed point that is not the function of anyone's choice. By doing so, he aims to reestablish a set of distributive outcomes that are controlled (and, thus, just) while still condemning the influence of luck on life outcomes.

However, Lang is ultimately dissatisfied with his own solution to the Boring Problem and suggests, instead, a return to Rawlsian contractarianism. Of course, some have read Rawls as a proto-luck egalitarian who designed his original position specifically to neutralize luck-based inequalities. Against this interpretation, Lang convincingly argues that Rawls merely aims to preclude luck from shaping the principles of justice (rather than shape the principles of justice to neutralize luck). He then concludes the book with a defense of Rawls's noncosmopolitanism—that is, Rawls's view that the principles of justice apply only within certain communities rather than to humanity as a whole.

It is an engaging book with a neatly organized argumentative structure. More worthy of note, though, is the book's effort to bring together a defense of moral luck and a critique of antiluckist theories of distributive justice. It is an inspired idea—the kind of idea that makes you wonder why more people haven't tried this before. However, it also has surprising drawbacks, as can be illustrated by reflecting on Lang's uncritical acceptance of the Boring Problem.

As a preface to this point, note that, early in the book, Lang endorses a control-based account of luck according to which some outcome is a matter of luck for some person if and only if she lacked control over whether that outcome obtained. However, he does not explicitly distinguish between two senses in which a person might control an outcome. First, a person can be said to *weakly control* some outcome if and only if that outcome is a function of her will, that is, it would not have obtained had she made a different choice. By contrast, a person *strongly controls* some outcome if she both weakly controls that outcome and weakly controls every state of affairs on which that outcome depends. In other words, if the outcome is a function of any state of affairs in addition to the agent's will, that state of affairs must also be a function of the agent's will if she is to control that outcome.

To illustrate this distinction, consider the gambler who bets on black at a roulette table and loses her money. On the one hand, she weakly controls this outcome because it was avoidable: had she chosen differently (by choosing either to bet on red or to not gamble at all), she could have made it such that she did not lose any money. On the other hand, she lacks strong control over this outcome. This is because her loss is a function of both her choice to bet on black and the roulette wheel spinning red. Given that the gambler did not weakly control the roulette wheel spinning red—there is no choice that she could have made that would have made it spin black—she does not strongly control the loss of her money. (For these purposes, it does not matter whether the uncontrolled state of affairs on which the outcome depends is a function of another's will, as the subsequent argument will go through either way.)

While Lang never provides an explicit definition of “control” when introducing his account of luck, there are two reasons for thinking that he takes luck to be correlative of a lack of strong control. First, there are a few places where he mentions luck and then provides an apparent restatement of the concept that makes it sound like the absence of strong control. For example, he notes that “we are reflectively inclined to affirm that the objects of moral appraisal . . . should not be the product of luck, or due to the operation of factors which lie beyond agents' control” (5).

More importantly, Lang's endorsement of the Boring Problem seems to presuppose that luck is the absence of strong control. Note that in the peach case described above, Ernest has weak control over the inequality that obtains between him and Bertie, as this inequality is a function of his will: had he decided to wait longer to eat his peach, then the inequality would not have obtained. Thus, when Lang affirms that the inequality is bad luck for Ernest because it is not under his control, he must have strong control in mind. Only on this conception of control does it matter that the inequality is also a function of Bertie's choices in addition to Ernest's, as Ernest's lack of weak control over Bertie's choices precludes him from having strong control over the inequality in question.

But why think that luck egalitarians require strong control for an inequality to be just (as opposed to weak control)? Contra Lang, there are three reasons for rejecting this interpretation of the theory. First, insisting that strong control is a necessary condition of just inequality collapses the signature luck egalitarian distinction between option luck and brute luck. According to many luck egalitarians, option-luck-based inequalities are just, where option luck includes all those

outcomes that result from an agent's avoidable gambles. For example, if an agent loses her retirement savings at the roulette table, she experiences bad option luck and is not entitled to equalizing transfers according to most luck egalitarians. By contrast, outcomes that are due to brute luck are not avoidable in this way—for example, being raised by neglectful parents—with luck egalitarians declaring brute luck inequalities unjust. However, if one interprets luck egalitarianism as (a) declaring that luck-based inequalities are unjust where (b) luck is the absence of strong control, then inequality due to option luck would be considered unjust alongside brute luck inequality, thereby stripping the option luck / brute luck distinction of its normative significance. Only if luck is taken to be the absence of weak control can one generate the desired result that inequality is just if it arises from avoidable gambles made by the worse off.

More generally, an account of luck egalitarianism that incorporates the notion of strong control will reduce the extension of “just inequalities” to the empty set, as all inequalities will depend on—that is, be a function of—some state of affairs that is not weakly controlled by the worse-off party. Indeed, all states of affairs ultimately depend on many noncontrolled states of affairs. For example, the fact that some person owns a car is a function of the fact that the solar nebula contracted in such a way as to create the earth: had that event not occurred, then there would have been no cars to own. The same is true of all other facts about human society (including distributional facts). Thus, all inequalities are due to luck and are unjust on the proposed interpretation. However, given that the whole point of positing luck egalitarianism is to explain why certain inequalities are just, an interpretation of luck egalitarianism that implies that there are no just inequalities is obviously deficient. Instead, one seemingly ought to construe luck as the absence of weak control, as such an interpretation sustains luck egalitarianism's motivating thought that certain inequalities are just.

Finally, weak control seems better suited for the theoretical role that control is supposed to play in luck egalitarian theories of justice. Why is it that luck egalitarianism declares controlled inequalities just? A plausible answer to this question is that such inequalities are justifiable to the worse-off parties: if they were to complain about their predicament, one could point out that they chose this outcome themselves, where this fact seems to undermine their basis for complaint. Indeed, when someone has full opportunity to avoid an expected outcome but chooses to bring it about anyway, it is natural to say that she has nobody to blame but herself—a phrase that aptly suggests that her choice exculpates all other parties who might otherwise wrong her by upholding the arrangement in question. Note, though, that weak control is sufficient for nullifying complaint in this way (at least, if certain other relevant conditions obtain, e.g., the outcome is expected by the agent), as such control over an outcome entails that the outcome is avoidable by the agent. There is, thus, no reason for luck egalitarians to incorporate strong control into their theory when weak control does the relevant justificatory work.

In short, the Boring Problem assumes that luck is the absence of strong control; however, given that luck egalitarians have many reasons for insisting that luck is the absence of weak control, the Boring Problem is not really a problem for them at all. But why, then, is Lang so quick to concede the Boring Problem by granting its

assumption that luck is the absence of strong control? Here one might appeal to the book's overarching theme to posit a diagnosis: in his effort to bring together discussions of moral luck and luck egalitarianism, Lang ends up applying the former's concepts and assumptions to the latter and is misled as a result. Specifically, note that Lang's interpretation of luck as the absence of strong control seems to be directly inherited from Thomas Nagel's discussion of moral luck: "Where a significant aspect of what someone does depends on factors beyond his control, yet we continue to treat him in that respect as an object of moral judgment, it can be called moral luck" (Thomas Nagel, *Mortal Questions* [Cambridge: Cambridge University Press, 1979], 26). This statement of luck is presented at the start of the introductory chapter, wherein Lang introduces and defines his more general account of luck, and he endorses it as the appropriate account to use when discussing moral luck. However, he seemingly continues to employ this account when the book turns to the topic of distributive luck, with the Boring Problem receiving undue deference as a result.

This is not to suggest that Lang's proposed alternatives to standard luck egalitarianism are uninteresting or unworthy of consideration. Indeed, both baseline-relative luck egalitarianism and his interpretation of Rawlsian contractarianism deserve a more detailed treatment than they have been given here. And this is certainly true of his defense of moral luck as well. However, those who want to take up Lang's worthwhile project of drawing connections between these positions should see his book as not only a useful starting point but also a cautionary tale about the dangers of jointly addressing related but distinct philosophical questions.

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Nichols, Shaun. *Rational Rules: Towards a Theory of Moral Learning*. New York: Oxford University Press, 2021. Pp. 272. \$77.00 (cloth).

Commonsense morality is often viewed as a set of rules. *Don't lie. Be fair. Keep promises. Love thy neighbor. Respect your elders. Don't eat pork.* And so on. Ethicists have also drawn out some common features of these rules. Moral rules can apply either universally or only to certain people, to one's actions or omissions, to what one intends or also to what one foresees. How are these moral rules and distinctions learned? And is the process rational?

These are the guiding questions of Shaun Nichols's innovative and instructive book *Rational Rules*. Like Hume, Nichols draws on our understanding of the human mind to answer questions about rationality in ethics. Against recent nativists (like Susan Dwyer, Gilbert Harman, and John Mikhail), he argues that moral rules are not innate but largely learned. Against the debunkers of commonsense morality (like Peter Singer and Josh Greene), he argues that ordinary moral learning is typically rational. And against many sentimentalists (like Jesse Prinz, early Jonathan Haidt, and to some degree Nichols himself), he argues that moral learning involves unconscious statistical reasoning. Although Nichols maintains that