Abstract: This paper discusses a puzzling tension in attributions of moral responsibility in cases of resultant moral luck: we seem to hold agents fully morally responsible for unlucky outcomes, but less-than fully-responsible for unlucky outcomes brought about differently than intended. This tension cannot be easily discharged or explained, but it does shed light on a famous puzzle about causation and responsibility, the Thirsty Traveler.

Moral Luck and Deviant Causation Sara Bernstein, University of Notre Dame

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There is a tension in our moral thinking about the relationship between causation and moral responsibility. On the one hand, people are responsible only for what is in their control. On the other hand, people are responsible only for what they actually cause. But what people actually cause is, in many ways, not entirely in their control. In a famous pair of cases, two drunk drivers each head home from the bar. One drunk driver makes her way home safely, while the other drunk driver strikes and kills a pedestrian.

Intuitively, the lucky agent is not responsible for a death and the unlucky agent is responsible for a death. Given that both agents have the same intentions and perform the same actions, what makes the moral difference is the unlucky occurrence of a bad outcome in one case but not in the other. Such *resultant moral luck*, or luck involving how things turn out, is thought to challenge the idea that agents can be held responsible only for what is in their control. In cases of resultant moral luck, what is out of an agent's control is whether or not an outcome occurs.

But whether the outcome occurs is not the only thing that can be out of an agent's control. Consider a case of *deviant causation*, roughly, a causal situation in which a particular planned outcome is brought about in an unplanned manner. Suppose that Assassin shoots at Victim, intending to kill him, but the shot misses. However, the shot startles a sleeping cassowary who then angrily mauls Victim to death. What is out of causal control of the assassin is not just *whether* the unlucky event occurs, but the process by which the unlucky event is brought about. If Assassin had not shot, Victim would not have died. Nevertheless, the prevailing intuition is that Assassin is not morally culpable for Victim's death, given that it happened in such a strange way. The unlucky agent is

responsible in the case of the drunk driver, but the assassin is not responsible in the case of the angry cassowary.

This contrast between intuitions is an instance of a puzzling tension in our treatment of cases of moral luck: we seem to hold agents fully morally responsible for unlucky outcomes, but only partly morally responsible for unlucky outcomes in which the causal process occurs differently than they intended. The tension represents a deeper inconsistency in our thinking about the relationship between causation and resultant luck more generally: luck seems to minimize responsibility in some cases, but not in others.

That tension is the focus of this paper. Here is the plan. In section 1, I lay out the problem in detail, giving several more cases of the phenomenon. I discuss the apparent tension between intuitions about resultant moral luck and intuitions about deviant causation. I examine the prospects for explaining away the tension, and also the possibility of a uniform approach to cases of resultant moral luck. In Section 2, I show how this tension sheds light on the difficulty of solving another well-known puzzle about causation and moral responsibility, that of the Thirsty Traveler.

In what follows, I will make a few assumptions for the sake of argument. First, I will assume that there is such a thing as moral luck-- that is, that luck can make a difference to an agent's moral responsibility for an outcome. Though this is a controversial matter, I will assume, for example, that the drunk driver who kills a pedestrian *is* more morally responsible than the drunk driver who does not, even if they are both blameworthy for poor intentions and bad actions. Second, I will assume that consequences stemming from actual causation play some role in moral responsibility for outcomes, even if that role turns out to be small. This means that moral responsibility is more than a matter of assessing a person's character or intentions at the time of a particular outcome, though those are also relevant. A person must, in some sense, be causally connected to an outcome in order to be held responsible for it. Third, while I hope to stay as neutral as possible on what moral responsibility consists in, in this

¹ See also Sartorio (2012), who discusses multiple sources of resultant moral luck. Sartorio does not, however, argue for a tension between them.

² Here I disagree with moral internalists such as Khoury (2018), who argue that what matters for moral assessment is a person's inner states.

³ I will also assume that omissions can be causes, and thus agents can be causally connected to outcomes by way of omissions.

discussion I will assume that it amounts to blameworthiness and praiseworthiness.

1. Moral Luck

Distinguish between three elements of a causal structure: (i) whether the effect occurs, (ii) the causal process by which the outcome is brought about, and (iii) the manner in which the effect occurs.⁴ Whether the effect occurs is a matter of the effect's happening or not happening—for example, the occurrence of a pedestrian's death versus its non-occurrence. The causal process by which the outcome is brought about involves what, exactly, constitutes the causal process which leads to the outcome's occurrence for example, a bullet causing Victim's death versus an angry cassowary. The manner in which the effect occurs concerns the particular way in which the relevant outcome happens—for example, death by bullet-related versus cassowary-related injuries.⁵

Much attention has been paid to cases in which luck makes a difference to whether the effect occurs. But that is only one piece of the puzzle. Each element of the causal structure that is out of the agent's control is subject to luck. In Angry Cassowary, among the things that are out of control of the assassin is the second part of the causal structure, or the particular means by which the outcome is brought about. Call this sort of situation causal process luck.

Causal process luck is an additional kind of resultant moral luck at work in cases of deviant causation. It is additional because it occurs on top of traditional resultant luck involving the outcome: in our cases of deviant causation, it is very unlucky that the outcome occurs despite its circuitous causal route. The prevailing intuition in cases of deviant causation is that the initiating agent is not morally responsible for the outcome, even if she is morally responsible for some lesser act such as the attempt to bring about the outcome. To help warm up to this idea, consider a few more cases:

⁴ This is slightly different than Sartorio's taxonomy of resultant luck, which she characterizes thus: "First, agents may not fully control whether certain outcomes occur. Second, in cases where those outcomes do in fact occur, agents may still not fully control whether their behavior results in those outcomes. And, finally, in cases where their behavior does in fact result in those outcomes, agents may still not fully control the

way in which they do." (2012, p. 85)

⁵ There is another kind of causation-related resultant moral luck, *proportionality luck*, that I do not discuss here. Proportionality luck involves circumstances out of an agent's control either increasing or decreasing an agent's proportion of moral responsibility for an outcome. See my (2017) for an extended discussion of proportionality luck.

Careless Driver. Galen plots to murder Gillian with poison. As he is driving to buy the materials for the poison, he fails to see a pedestrian in the pedestrian walkway, and strikes and kills the pedestrian. Upon rushing out of the car, he realizes the pedestrian was Gillian.

Angry Friend. Joey plans to murder Jake by poisoning his drink. While preparing the poison, Joey is so nervous that he breaks the bottle of poison. Very shortly thereafter, Jake slips on a bit of glass from the broken poison bottle, and dies from the fall.

In each of these cases, an agent initiates a causal process to bring about an intended outcome, but the intended outcome is brought about by means so different than those planned by the agent that the agent is not responsible for the occurrence of the outcome. The deviance of the causal process from the agent's original intention reduces moral responsibility, and in some cases, legal responsibility for the outcome. Luck enters the picture because something out of the agent's control—the particular nature of the causal process—downgrades culpability for the intended outcome to culpability for a mere attempt.

One might initially be skeptical that initiators of deviant causal chains should count as causes of the relevant outcomes. But note that there is counterfactual dependence between the outcome and the initiator of a deviant causal chain. In the case of the angry cassowary, the victim would not have been mauled to death had the assassin not shot. In Angry Friend, Jake would not have died had Joey not prepared the poison. Given the existence of counterfactual dependence, even if transitivity failed generally, this is arguably not a case where transitivity fails. So appealing to the failure of transitivity is not a good idea, at least in this case (if not more generally). Moreover, there are no promising routes to denying the efficacy of deviant causes. The prospects for a principled distinction between deviant and non-deviant causation are bleak.

More generally, it is plausible that agents who initiate deviant causal chains feel something like agent regret. According to Williams (1993), *agent regret* is a type of

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⁶ See my "Deviant Causation and the Law" (MS) for an extended discussion of the role of deviant causation in legal responsibility.

regret felt by an agent who is causally but not morally responsible for an outcome. Williams' paradigmatic case of agent regret involves a truck driver who accidentally hits a child who darts out in front of his vehicle. It is reasonable in this case for the truck driver to feel regret over what he has done even though he is not at fault. Similarly, a non-mal-intentioned initiator of a deviant causal chain might regret what has occurred despite not being morally responsible for the outcome. Initiators of deviant causal chains are to be considered causes.

Return to the cases with which we began, which I shall call Drunk Driver and Angry Cassowary. As I suggested at the outset, the intuition that luck makes a moral difference is not stable across all cases of resultant luck. Though Drunk Driver involves luck in whether the outcome occurs and Angry Cassowary involves luck in how the outcome is brought about, typically, the agent is seen to be fully responsible in the former case but not in the latter case. Similarly with Careless Driver and Angry Friend: because the causal processes go awry, the agents are not fully responsible, despite the occurrences of the intended outcomes. The deviance of the causal process seems to supersede more typical considerations about luck and responsibility—namely, that a person is still fully morally responsible for an outcome impacted by luck.

Call this phenomenon TENSION. Specifically, there is a tension between a commitment to moral responsibility of the agent in the drunk driver case but not in the case of the angry cassowary. Why? Because in both cases, an agent initiates a causal chain leading to a particular outcome. In both cases, it is bad luck that the outcome occurs. But only in one case, Angry Cassowary, does an element that is out of control of the agent—the nature of the causal process—reduce moral responsibility for the outcome. For some reason, whether the outcome occurs seems to matter less than whether the causal process leading up to the outcome matches the agent's intentions.

TENSION is puzzling because it reflects the unevenness with which luck impacts moral responsibility. In traditional cases of resultant luck, an agent is fully morally responsible for an outcome even if it owes to circumstances beyond her control. That the outcome is out of her control does not lessen moral responsibility. But when the causal process runs out of control, it reduces moral responsibility for an outcome, even if the intended outcome occurs.

This tension raises a few challenges. One challenge is to explain why the inconsistency exists: why hold people fully responsible in one sort of case, but not another? From whence does the moral exception arise? Another challenge is to try to resolve or eliminate the tension: is it possible to systematize the treatment of resultant moral luck? I turn now to these topics.

A natural first inclination is to explain away the tension by appealing to something special about the causal process which amplifies its effect on moral responsibility. The rough idea is that there is particular moral significance attached to the fit between an agent's intentions for a causal process, and the way that process actually occurs. If the causal process deviates significantly from the agent's intentions for it, then it makes sense to decrease the agent's moral responsibility for the outcome. This idea comports with an epistemic requirement on moral responsibility, similar to the foreseeability requirement on legal responsibility. If an agent can't foresee the bizarre causal process leading to the outcome, then she isn't responsible for it, or is at least less responsible for it.

But this strategy proves difficult to defend. First, the outcome in each of these cases is foreseeable, and the agents' intentions line up with the relevant outcomes. Each agent intends to cause a victim's death. Shooting at someone, for example, brings with it a foreseeable risk that the person will die as a result of the shot. If the outcome is foreseeable and the agent acts in order to bring about the outcome, why impose the epistemic constraint on the causal process leading to the outcome?

Second, drawing a principled distinction between deviant and non-deviant causal processes is extremely difficult. Exactly how deviant must the causal process be in order for the agent to be less responsible for the outcome? Almost no one imagines an intended causal process in perfect, exhausting detail. There are mildly deviant causal processes that nonetheless do not minimize moral responsibility, as in the following case:

Ricochet. Jayantha shoots at Jordan, intending to kill him. The bullet ricochets off of a nearby rock and kills Jordan.

Here, the causal process does not occur in the way that Jayantha intends. Nonetheless, the

natural intuition is that Jayantha is still morally responsible for Jordan's death, since the causal process is not so different than the one that Jayantha intended. Deviance in the causal process isn't an automatic defeater for moral responsibility; it minimizes responsibility only in some cases. Locating the source of the moral exception in the nature of the causal process is an unpromising avenue for explaining away the tension.

Rather than locate the moral exception in the deviance of causal processes, it might be tempting to hold that there is something about the occurrence of the intended outcome that renders it immune to responsibility-decreasing factors. The general idea is that when an outcome occurs in the way planned by the agent, the agent is responsible for it. But when it does not occur in the way planned, the agent is not responsible for it. In Angry Cassowary, for example, the victim's death occurs via a cassowary-mauling rather than the intended gunshot. The assassin is less culpable for this unplanned mode of death. This thought makes a fair bit of theoretical and practical sense: we hold people responsible for outcomes when the intended outcomes occur as a result of their actions, but not when those outcomes don't occur.

But there are several wrinkles. First wrinkle: in cases of deviant causation, the intended outcome *does* occur. Sometimes the outcome even occurs via the intended mode. For example:

Lazy Assassin. Becky is dispatched to kill Victim. Becky shoots at Victim, but misses. The shot wakes up Bill, who was independently dispatched by a different assassination agency. Bill shoots Victim and kills him. (Bill would not have shot had Becky not awakened him.) Had Becky not shot, Victim would not have died.

In this example, Victim dies in the way that Becky intends, via gunshot. It is the causal process that occurs differently than she intends, not necessarily the outcome.⁷

Second wrinkle: whether the particular planned outcome occurs is also subject to luck, based on the modal fragility of the outcome. According to Lewis, we should call an event modally fragile "if, or to the extent that, it could not have occurred at a different

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⁷ Note that this lesson can be generalized to other cases as well. Though many of the examples in this paper have outcomes that occur differently than intended, it is easy enough to cook up cases in which the intended sort of outcome occurs.

time, or in a different manner. A fragile event has a rich essence; it has stringent conditions of occurrence." (1986: p. 196) It is conceptually and metaphysically unclear how modally fragile outcomes are in these cases. But if the planned outcome occurs in a significantly different way than that planned by the agent, it might count as a different outcome entirely. Recall Careless Driver, in which Galen brings about Gillian's death by hitting her in a pedestrian path on the way to buying the poison. Here, the location, time, and manner of death are very different than what Galen had planned—so different that Galen is not to be held morally responsible for intentionally killing Gillian (even though he might be held responsible for some other, lesser transgression involving vehicular negligence). But it is a matter of luck that the intended outcome occurred so differently than what he planned that it counts as a distinct outcome.

The susceptibility of modally fragile outcomes to luck is particularly problematic because there is thought to be a causal asymmetry between *hasteners* and *delayers*. A hastener brings about a particular outcome sooner than it would have been brought about otherwise; a delayer puts off an outcome to a later time than it would have otherwise occurred. Typically, hasteners are taken to be causes whereas delayers are not. For instance:

Anti-venom. Drake is bitten by a scorpion and taken to a hospital to receive anti-venom. Five hours after receiving the infusion, Drake dies from a reaction to the anti-venom. If he had not died from the anti-venom, he would have died from the scorpion bite a few hours later.

Here, the infusion of anti-venom hastens Drake's death. Intuitively, the infusion causes Drake's death, even though all it did, in some sense, is speed up something that was already going to occur. In contrast, delayers are generally not taken to cause their outcomes. For example:

Slow anti-venom. Drake is bitten by a scorpion and taken to a hospital to receive anti-

⁸ See Lewis (1986) and P. Mackie (1992) for the canonical discussions.

⁹ Though for an argument that hasteners and delayers are causally symmetric, see Touborg (2018).

venom. The anti-venom slows the progression of the scorpion venom. Drake dies twelve hours later than he would have without the anti-venom.

Intuitively, the anti-venom does not cause Drake's death; it merely delays something that was going to happen in any case. It is merely lucky that the administration of the anti-venom caused Drake to die later rather than sooner.

Many deviant causes hasten or delay their outcomes. If the outcomes are fragile, whether a particular outcome occurs is subject to luck with respect to when, where, and how it happens. Change the nature of the outcome, and one might change the identity of the outcome entirely. Modal fragility undermines the attempt to explain away TENSION by appealing to the occurrence of the outcome as the most significant feature of moral assessment, because whether a particular modally fragile outcome occurs is also a matter out of an agent's control. I tentatively conclude that attempts to explain away TENSION are unpromising.

But an even larger challenge lies in trying to resolve TENSION, i.e., systematically treat all cases of resultant moral luck. I won't hazard such a solution here, but I will make a few pessimistic remarks about the prospects. I begin by noting that a systematizing moral treatment of resultant luck would require treating all cases coherently. For example, if agents are fully morally responsible in cases involving resultant moral luck, then they are responsible in all such cases, not just some of them. Or, if the involvement of resultant luck lessens moral responsibility, then it should do so in all such cases. But such a systematic treatment would be too revisionary to be palatable. One would not want to hold that the drunk driver who kills a pedestrian is less responsible for the outcome because she is unlucky. Retaining a commitment to reduced moral responsibility in cases of deviant causation requires such a view. Alternatively, one might hold that agents who initiate deviant causal chains are fully responsible for the outcomes in those cases, just as the drunk driver who kills the pedestrian is fully responsible. Some might find this solution tempting-- especially those antecedently drawn to full responsibility of agents in cases of deviant causation. But such a commitment would include the unpalatable result that agents be morally responsible for outcomes resulting from extremely deviant causal chains. For example:

Asbestos. Assassin aims to kill victim by poisoning her. Assassin prepares a canteen full of poison, but the poison turns out to be inert. However, unbeknownst to assassin, the canteen is lined with asbestos. Victim drinks from the canteen for several years, eventually dying of an asbestos-related condition.

Here, the nature of the outcome and the causal process is extremely remote from the assassin's intentions, and yet a systematic treatment of resultant moral luck would require that the assassin be held morally responsible for the outcome. Nor does adding an epistemic constraint help, since cases can be easily generated in which a malintentioned agent brings about a foreseeable consequence of her actions in a way different than she intends. While die-hard consequentialists might see the appeal of blanket moral responsibility for intended outcomes, most others would be skittish about such an indiscriminate commitment to moral responsibility for outcomes. Though there is much more to be said on the topic, I tentatively conclude that a systematic treatment of resultant moral luck cases looks unpromising.

2. The Thirsty Traveler

Though it creates a problem for a systematic treatment of resultant moral luck, the idea that deviance in the causal process reduces moral responsibility is fruitful for understanding another well-known puzzle about causation and responsibility, the Thirsty Traveler. There are many versions of the case, but the basic one goes like this:

Thirsty Traveler. Billy and Suzy are independently dispatched assassins targeting Thirsty Traveler. Victim has a canteen full of water that she needs to drink for her survival. In an attempt to kill Thirsty Traveler, Billy fills the canteen with poison that kills by dehydration. Suzy, unaware of Billy's assassination attempt, steals the canteen in an attempt to deprive Victim of water. Victim goes to drink water from her canteen, but cannot find it, and so she dies of dehydration.

The case gives rise to both causal and moral puzzles. Causally, the contributions of both

Billy and Suzy seem to cancel each other out. But it would be odd to hold that neither assassin causally contributed to Victim's death: they both, in some sense, brought it about. It also seems wrong to hold one or the other assassin fully responsible. The first assassin who fills the canteen with poison would have been responsible for the death had the second assassin not come along. But due to the second assassin's removal of the canteen, first assassin isn't directly causally connected to Victim's death. It also seems wrong to hold the second assassin responsible for Victim's death, since stealing a canteen that is already full of poison doesn't seem to directly contribute to Victim's death.

The case and its variants have spawned myriad causal diagnoses. There is an argument to be made that Thirsty Traveler is a strange case of causal overdetermination. In a case of causal overdetermination, there are multiple causes sufficient to bring about an outcome in roughly the same way, as when Billy and Suzy each throw a rock at a window, and both rocks hit the window at the same time. Either rock would have been sufficient to shatter the window. In Thirsty Traveler, each assassin is causally sufficient for Victim's deprivation of life-sustaining water. But there is also an argument to be made that Thirsty Traveler is a strange case of causal preemption, in which one cause preempts the other from bring about the outcome. For example, suppose that Billy and Suzy each throw their rocks at a window, but Billy's rock reaches the window and shatters it before Suzy's rock can. Billy rock is the preempting cause; Suzy's rock is preempted from bringing about the outcome. In Thirsty Traveler, Suzy's stealing the canteen preempts Billy's poison from killing Victim.

There are more outré causal diagnoses on offer. Some have argued that both assassins are collectively responsible.¹⁰ Others have argued that neither assassin is causally responsible.¹¹ Sartorio (2015) argues that it is the obtaining of a disjunctive fact (the stealing-or-substituting) that is the cause: the assassins collectively (but not distributively) bring about Victim's death. She also suggests that settling the causal puzzle doesn't necessarily settle the moral puzzle.¹²

¹⁰ For example, Kvart (2002).

¹¹ For example, Moore (2009).

¹² Sartorio (2015) suggests that such cases exhibit a new form of moral luck involving how many moral agents causally contribute to an outcome. In the case with a "natural", non-human intervener, Suzy is not responsible for Victim's death. In the traditional telling with an additional assassin, Suzy is partly responsible.

I won't argue here for a comprehensive positive answer to the complex causal puzzle. Rather, I wish to use the results from the preceding discussion to draw attention to a few underexplored features of the case. The first underexplored aspect of Thirsty Traveler is its inclusion of deviant causation. Victim's death occurs due to Billy and Suzy's causal contributions, but it does not occur via the causal process planned by Billy or Suzy. The fact that the causal structure is deviant explains a number of puzzling intuitions about the case.

First, the involvement of deviant causation explains why we seem uneasy calling both Billy and Suzy fully morally responsible for Victim's death, even if the case is read as causal overdetermination. Even though Victim dies due to dehydration, it is neither dehydration-via-poison (as planned by Suzy) nor dehydration-via-deprivation-of-canteenwater (as planned by Billy). As in deviant cases involving individual agents, the mismatch between the causal process and each agent's respective intention reduces moral responsibility for the outcome.¹³

Another common intuition about Thirsty Traveler is that there is some sort of causal asymmetry between the two assassins, but it is hard to put a finger on exactly what it is. One hint draws on my earlier discussion of hasteners and delayers. According to one interpretation of the causal structure of the case, Suzy's stealing the canteen causes the death to happen later than it would have otherwise: if she had not stolen the canteen, Billy's poison would have killed Victim sooner. This means two things. First, Suzy's stealing the canteen is a delayer: it delays a death that otherwise would have occurred sooner. Second, Suzy's stealing the canteen is a preemptor: it preempts Billy's poison from killing Victim. This strange combination of causal features—being a preemptor but also a delayer—goes some of the way in explaining why we have difficulty diagnosing

¹³ Consider an example with a similar structure to Thirsty Traveler, adapted from an actual legal case presented by Hart and Honoré (1985):

Angry Neighbors. Neighbors A and B are mad at neighbor C, who lives between them. Neighbor A sets a fire, hoping it will destroy C's apartment. Neighbor B unleashes a flood from his pipes, hoping it will destroy C's apartment. Neighbor B's flood puts out neighbor A's fire; however, Neighbor C's apartment is ruined.

Here, neither Neighbor A nor Neighbor B is fully responsible for the destruction of Neighbor C's apartment due to the deviance in the causal chain. Like Thirsty Traveler, there is a cancellation effect of sorts between the causes.

the causal asymmetry of the case. Being a preemptor is often a signal that something is a cause of a particular outcome, as when Billy's rock shatters the window before Suzy's rock can reach it. Cases of causal preemption are also cases of resultant moral luck: it is a matter out of each agent's control which cause ends up bringing about the effect, and which one is merely preempted. We tend to hold the preempting agent causally and morally responsible for the outcome. The preempted agent is lucky; the preempting agent is unlucky. In Thirsty Traveler, that means that we would hold Suzy causally responsible for the Thirsty Traveler's death, since her stealing the canteen preempts Billy's poison from killing the victim.

But the case is particularly strange because Suzy's stealing the canteen is also a delayer in addition to being a preemptor. Being a delayer is not, generally, taken to be a way of automatically counting as a cause. That Suzy's stealing the canteen delays the death muddies our causal intuitions a bit, because we tend to think that she merely changed a death that was already going to occur by making it later. But she also cuts off another causal process from occurring—the death-by-poisoning. The causal asymmetry in the case can be chalked up to this strange combination of factors. The moral diagnosis of the case can be chalked up to deviant causation, since each agent initiates a causal process that eventuates in the intended outcome, but not in the way intended.

3. Conclusion

There is a heretofore underexplored tension in our treatment of cases of moral luck: luck reduces moral responsibility when a causal chain is deviant, but does not reduce moral responsibility when it is merely unlucky that the outcome occurs. Deviance of the causal process supersedes occurrence of the unlucky outcome in assessing agents' moral responsibility. This intuitive quirk generates an incoherence in the way we treat cases of resultant moral luck, but does some valuable explanatory work with respect to other puzzles of causation and moral responsibility, including the Thirsty Traveler. There is still much investigation to be done into the relationship between causation and moral responsibility: the more we think about it, the more puzzling it is.¹⁴

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References

Bernstein, S. (2017) "Causal Proportions and Moral Responsibility", Oxford Studies in Agency and Responsibility, ed. David Shoemaker, Oxford University Press, pp. 165-182.

Bernstein, S. (MS) "Deviant Causation and the Law".

Hart, H. L. A. and T. Honore (1985) *Causation in the Law*, second ed. Oxford: Oxford University Press.

Khoury, A. "The Objects of Moral Responsibility," Philosophical Studies, Forthcoming: 1-25.

Kvart, I. (2002) "Probabilistic Cause and the Thirsty Traveler." *Journal of Philosophical Logic* 31: 139-179.

Lewis, D. (1986) "Causation." In *Philosophical Papers*, vol. II (New York: Oxford U.P), pp. 159-213.

Mackie, P. (1992) "Causing, Delaying, and Hastening: Do Rains Cause Fires?', Mind 101, pp. 483-500.

Moore, M. (2009) Causation and Responsibility. New York: Oxford University Press.

Sartorio, C. (2015) "Resultant Luck and the Thirsty Traveler" *Methode* 4(6), 153-171.

Sartorio, Carolina (2012) "Resultant Luck" *Philosophy and Phenomenological Research* 84 (1):63-86.

Touborg, C. (2018). "Hasteners and delayers: why rains don't cause fires" *Philosophical Studies* 175 (7):1557-1576.

Williams, B. (1993) "Shame and Necessity". University of California Press.