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# Divine command theory and psychopathy

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**Abstract:** I advance a novel challenge for Divine Command Theory based on the existence of psychopaths. The challenge, in a nutshell, is that Divine Command Theory has the implausible implication that psychopaths have no moral obligations and hence their evil acts, no matter how evil, are morally permissible. After explaining this argument, I respond to three objections to it and then critically examine the prospect that Divine Command Theorists might bite the bullet and accept that psychopaths can do no wrong. I conclude that the Psychopathy Objection constitutes a serious and novel challenge for Divine Command Theory.

## Introduction

Divine command theory (DCT) has found new life in recent years with the development and defence of sophisticated versions of the theory by Robert Adams (1999), John Hare (2001 & 2015), William Wainwright (2005), David Baggett and Jerry Walls (2011), C. Stephen Evans (2013), and others.<sup>1</sup> DCT is among the most prominent contemporary theistic moral theories, so it is perhaps obvious that DCT should be of interest to theistic philosophers. But the theory should also be of interest to non-theistic moral realists because (a) DCT is a competitor to non-theistic versions of moral realism and (b) some theistic philosophers have appealed to DCT as part of a case against the plausibility of any form of non-theistic moral realism (see e.g. Craig (2008), 172–183). In this article I advance a novel challenge for DCT based on the existence of psychopaths.<sup>2</sup> The challenge, in a nutshell, is that DCT has the implausible implication that psychopaths have no moral obligations and hence their evil acts, no matter how evil, are morally permissible. In what follows I first sketch the central elements of DCT, then explain the challenge itself and respond to three replies to the challenge. In the penultimate section of the article I explore the prospect that defenders of DCT might bite the bullet and accept that psychopaths can do no wrong.

I argue that such a move is problematic for proponents of DCT because it conflicts with some common accounts of why God issues the commands He issues.

### **Divine command theory**

The defining claim of DCT is that all human moral obligations are in some way grounded in divine commands. More precisely, an act is morally obligatory just in case God commands it, morally wrong just in case God forbids it, and (merely) morally permissible just in case God neither commands nor forbids it – and it is God’s commanding, forbidding, or doing neither that in some sense grounds the moral statuses of actions.<sup>3</sup>

A distinctive feature of DCT is that a given human being has moral obligations only if a divine command is somehow communicated to that human being. This aspect of the theory is emphasized by many proponents of the theory. For example, Adams writes: ‘A command does not exist or have any force unless it is issued – that is, unless, it is in some way communicated’ (R. Adams (1999), 263). In defence of this position, Adams memorably remarks that ‘[g]ames in which one party incurs guilt for failing to guess the unexpressed wishes of the other party are not nice games. They are no nicer if God is thought of as a party to them’ (*ibid.*, 261). C. Stephen Evans similarly emphasizes the importance of divine communication in this passage:

A law that was passed in secret and never revealed to anyone would hardly be binding on the citizens of a state. It is true that it is often said that ignorance of the law is not a valid excuse for not obeying the law, but this principle surely assumes that the law in question is a matter of public record and that the individual who should obey the law could have known about it. Something similar must hold for moral laws as well. (Evans (2013), 37)

In accordance with Adams’s view that ‘[i]n order to exist, a command . . . must be communicated to those who are subject to it’ (R. Adams (1999), 263), I shall henceforth use ‘command’ to mean *obligation-bestowing* command. On this usage, no divine command is issued unless it imposes some moral obligation on those to whom it is issued. It is important to see that this usage may differ somewhat from the ordinary sense of ‘command’. For example, in the ordinary sense of ‘command’, if I verbally instruct my child whom I know to be deaf to put away a particular toy, I have commanded him to put away the toy. However, in the sense in which I use ‘command’ in the rest of this article, I have not issued my son a command to put away the toy because my verbal instruction imposes on him no obligation to put away the toy.

This rough sketch captures the essential elements of DCT as I shall understand it in this article. While the most prominent contemporary proponents of DCT sometimes disagree with one another when it comes to some of the details of the theory, they are united in their endorsement of the components of DCT that I’ve just sketched, and the objection I advance below targets those shared components.

### From non-believers to psychopaths

One worry that has been raised about DCT is that it implies that those who do not believe in God have no moral obligations. The idea is that since non-believers do not recognize any command as having been issued by God, God has not adequately communicated His commands to non-believers and hence He has not commanded them at all. According to this objection, DCT thus implies that non-believers have no moral obligations – an unwelcome result (see Wielenberg (2005), 60–64; Morrision (2009); Wielenberg (2014), 75–80). Defending this particular objection to DCT is not a goal of the present article. I bring it up here because consideration of how defenders of DCT have responded to this objection will provide some important background for the psychopath objection that is the focus of this article.

The standard reply to the non-believers objection has it that as long as God is able to instil in non-believers an awareness of the content of moral demands *and* the authoritative nature of those demands, God has indeed issued commands to non-believers and thereby imposed moral obligations upon them – despite non-believers' ignorance of the divine origin of such obligations. Here is Matthew Flannagan's version of this reply:

Suppose . . . that an owner of one of the beachfront properties in Orewa puts up a sign that states 'private property do not enter, trespassers will be prosecuted' and that John sees the sign and clearly understands what it says. He understands the sign as issuing an imperative to 'not enter the property.' John understands this imperative is categorical and is telling him to not trespass; he also recognizes this imperative as having authority over his conduct, he also recognizes that he will be blameworthy if he does not comply with this imperative . . . While John does not realize who the source of the command is, he knows enough to know that the imperative the command expresses applies authoritatively to him and that he is accountable to it. (Flannagan (2017), 351)

C. Stephen Evans responds to the non-believers objection by discussing a very similar example and remarking that 'it would seem possible for God to communicate commands that would be perceived as *authoritative and binding* without necessarily making it obvious to all recipients that he is source of the commands' (Evans (2013), 114, emphasis added). Interestingly, Adams seems to have anticipated the non-believers objection as well as the standard reply to it:

[I]f God's commands must be intended by God to be recognized by their addressees as commands of God, and if God knows with certainty that the non-theist will not recognize anything as coming from God, it follows that God does not address any command to the non-theist . . . [In response to this worry] [w]e can suppose *it is enough for God's commanding if God intends the addressee to recognize a requirement as extremely authoritative and as having imperative force*. And that recognition can be present in nontheists as well as theists. (R. Adams (1999), 268, emphasis added)

The thought suggested by the remarks of Flannagan, Evans, and Adams in these passages is that as long as God does enough to get non-believers to recognize

that a given requirement has authority over their conduct, they are bound by that requirement. But what counts as *doing enough*? In Flannagan's private property sign example, the relevant authority has done enough to convey the authoritative nature of the relevant command. Here is an example in which the relevant authority has not done enough:

Suppose that your city's government launches a traffic safety program that involves putting up lots of new stop signs throughout the city. Suppose also that because of budget problems, the city cannot afford proper stop signs for your neighbourhood and instead posts in your neighbourhood several new stop signs made of construction paper with 'STOP' handwritten on them in crayon. Although the city has the authority to impose certain obligations on you by posting stop signs, and you understand that the signs are directing you to stop, you do not recognize the instruction to stop conveyed by such signs as having authority over your conduct – and that is because the government has not done enough to communicate that authority to you. Consequently, these cheaper stop signs fail to impose any obligations upon you.

In the case of God and human beings, God's omniscience is salient. Adams writes that 'if an omniscient being issues commands, it must be by signs that *could* be understood by the intended audience . . . as the intended commands' (*ibid.*, 269) and that '[o]nly people whom God expected to know of the relevant signs, and to be able to understand them in the intended sense, can be subject to divine commands conveyed by those signs' (*ibid.*, 270). Although Adams here seems to have in mind primarily the *content* of God's commands, corresponding claims about the *authority* of such commands are quite plausible: to qualify as genuine divine commands, God's signs must be ones that the intended audience is capable of recognizing as having authority over them. Indeed, Adams himself suggests as much with his remark that 'it is enough for God's commanding if God intends the addressee to recognize a requirement as extremely authoritative and as having imperative force' (*ibid.*, 268). If God issues a sign to you directing you to do something while knowing that you are incapable of recognizing the instruction as having authority over you, then you are in a situation relevantly like people living in the neighbourhood with handwritten stop signs.

These considerations suggest the following plausible principle, which incorporates Adams's language in the last passage I quoted from him:

(R) God commands person S to do act A only if S is capable of recognizing the requirement to do A as being extremely authoritative and as having imperative force.

(R) does not require that the recipient is capable of recognizing *divine* authority behind the command, nor does it require that the recipient actually recognizes the

authority and force of the command. (R) imposes only the modest necessary condition that the recipient at least be capable of recognizing a given requirement as being authoritative and having imperative force.

Proponents of DCT typically hold that at least some of God's commands are issued to all human beings. Turning to Adams again, we see that he writes that his theory 'envisages many of God's commands as given to human beings quite generally' (*ibid.*, 365) and that 'it is important to understand divine commands as cognitively accessible to human beings quite generally' (*ibid.*, 264). Similarly, Evans declares that 'moral obligations hold for persons simply as persons . . . Having moral obligations is a status that one acquires by virtue of being human' (Evans (2013), 14–15). Presumably there are some caveats here. For example, do new-born babies have moral obligations? Perhaps not, but a DCT-er can plausibly suggest that a typical human becomes aware of the authority and force of moral demands as she develops and in this way God's commands are communicated to her as part of normal development. Another category of human beings who may lack moral obligations on DCT are those with advanced dementia whose cognitive impairment has progressed to the point that they are incapable of grasping the authority and force of moral demands. What babies and those with advanced dementia have in common is that their inability to grasp the authority and force of moral demands is accompanied by a greatly diminished or perhaps non-existent capacity for agency at all.

Psychopathy is different. The mainstream view of psychopaths in contemporary psychology and philosophy has it that they have significant neurological deficits that leave them with an absent or significantly diminished capacity for love, compassion, and guilt. They are often described as lacking conscience and are *incapable* of grasping the authority and force of moral demands. Psychologist Robert Hare describes psychopaths this way:

[F]or psychopaths . . . the social experiences that normally build a conscience never take hold. Such people don't have an inner voice to guide them; they *know* the rules but follow only those they choose to follow, no matter what the repercussions for others. They have little resistance to temptation, and their transgressions elicit no guilt. Without the shackles of a nagging conscience, they feel free to satisfy their needs and wants and do whatever they think they can get away with. (Hare (1999), 75–76)

In a similar vein, psychologist Martha Stout says this:

About one in twenty-five individuals are sociopathic, meaning, essentially, that they do not have a conscience . . . The intellectual difference between right and wrong does not bring on the emotional sirens and flashing blue lights, or the fear of God, that it does for the rest of us. Without the slightest blip of guilt or remorse, *one in twenty-five people can do anything at all.* (Stout (2005), 9, emphasis in original)

Psychologist Cordelia Fine and philosopher Jeanette Kennett say that for psychopaths, 'moral . . . rules are annoying restrictions to be manipulated or ignored. *None of these rules have normative force for them*' (Kennett & Fine

(2008), 175, emphasis added). Marijana Vujosevic explains: ‘Since their dysfunctional conscience does not stimulate moral feelings, psychopaths do not become aware of the constraints required to understand that they have obligations. Their conscience does not make them responsive to the constraining power of morality’ (Vujosevic (2014), 1230). Stephen Morse puts it this way:

Psychopaths know the facts and the rules and are capable of manipulation of others to achieve their own ends, but they do not get the point of morality. It is as if they are color blind to moral concerns. The rights and interests of others have no purchase on their practical reasoning. (Morse (2008), 209)

In defence of this view, Eric Matthews examines the sorts of explanations psychopaths offer for their violent behaviour and suggests that they ‘do not appear . . . to be aware of the need to justify actions which infringe moral rules . . . [and] do not really understand the concept of morality’ (Matthews (2014), 77). For instance, a normal person who knocks a gas station attendant unconscious will feel the need to offer some sort of justification for such an action. Matthews points out that a psychopath who performed this very action explained that he did so ‘because he did not want the inconvenience of going home to get his wallet to pay for the case of beer’ (*ibid.*, 76), an explanation that indicates the absence of awareness of the need to provide a moral justification for the action. Matthews summarizes his view of psychopathy as follows: ‘Psychopaths do not merely behave contrary to moral standards . . . but seem in some sense not even to *understand* the notion of a moral standard in any “serious” sense, that is, as meaning anything more than a conventionally accepted rule’ (*ibid.*, 78). Similarly, Gwen Adshead writes that:

The paradigm of psychopathic emotional deficit might best be characterized as ‘predator’ mode . . . other people are seen as objects to be exploited for gain . . . The predatory psychopath treats others as merely a means to an end and is puzzled at the suggestion that it could be otherwise. (Adshead (2014), 117)

A central feature of psychopathy is emotional shallowness. Psychopaths have a greatly diminished ability to experience emotion, particularly anxiety, fear, guilt, and compassion. Hare explains that ‘[l]ike the color-blind person, the psychopath lacks an important element of experience – in this case, emotional experience – but may have learned the words that others use to describe or mimic experiences that he cannot really understand’ (Hare (1999), 129). Here is an example of the phenomenon Hare describes involving the emotion of guilt:

Psychopaths show a stunning lack of concern for the devastating effects their actions have on others. Often they are completely forthright about the matter, calmly stating that they have no sense of guilt, are not sorry for the pain and destruction they have caused . . . On the other hand, psychopaths sometimes verbalize remorse but then quickly contradict themselves in words or actions. Criminals in prison quickly learn that *remorse* is an important word. When asked if he experienced remorse over a murder he’d committed, one young inmate told us,

'Yeah, sure, I feel remorse.' Pressed further, he said that he didn't 'feel bad inside about it.' (*ibid.*, 40-41)

And here is an example involving fear:

Another psychopath in our research said that he did not really understand what others meant by 'fear.' However, 'When I rob a bank,' he said, 'I notice that the teller shakes or becomes tongue-tied. One barfed all over the money. She must have been pretty messed up inside, but I don't know why. If someone pointed a gun at me I guess I'd be afraid, but I wouldn't throw up.' When asked to describe how he *would* feel in such a situation, his reply contained no reference to bodily sensations . . . When asked how he would *feel*, not what he would think or do, he seemed perplexed. (*ibid.*, 53-54)

Neuroscientist Kent Kiehl has discovered that the brains of psychopaths have a distinctive pattern of deficits in the paralimbic system, a system that encompasses several regions of the brain (Kiehl (2014), 169). One of Kiehl's studies involved showing subjects pictures with 'high immoral content' (for example, a picture of a man yelling at a cowering child) and pictures with 'low immoral content' (for example, bystanders looking at a car accident). Kiehl reports that 'judgments of immoral pictures engage the amygdala in nonpsychopaths. But psychopaths fail to activate this paralimbic region of the brain. The normal boost the amygdala generates to help recognize moral content did not take place in psychopaths as it did in nonpsychopaths' (*ibid.*, 254).

Psychopaths' neurological and emotional deficits explain their inability to grasp the authority and force of moral demands. When it comes to morality, they are like people living in the neighbourhood with crayon and construction paper stop signs that I described earlier. As I have noted, psychologists often express this mainstream view of psychopaths by characterizing them as lacking conscience. However, as Hare explains, '[p]sychopaths are not disoriented or out of touch with reality, nor do they experience the delusions, hallucinations, or intense subjective distress that characterize most other mental disorders. Unlike psychotic individuals, psychopaths are rational and aware of what they are doing and why' (Hare (1999), 22).

I should emphasize that in offering this sketch of the mainstream view of psychopathy I do not mean to suggest that there is widespread agreement on the part of philosophers or even psychologists on the exact nature of psychopathy. On the contrary, psychopathy is the subject of various psychological and philosophical disagreements. However, as far as I can tell, there is widespread agreement on the claim that is crucial for my argument here, which is that psychopaths are incapable of grasping morality's authority and force. Thomas Schramme, a philosopher who studies psychopathy, describes the state of the scholarly discussion of psychopathy this way:

[T]he psychiatric approach, regardless of the many differences among its classification systems, generally seems willing to conclude that psychopaths . . . do not possess the capacity to take a moral perspective . . . [M]any approaches agree that psychopaths have no difficulty



understanding that societies have normative expectations regarding human behavior. They are also able to name concrete moral obligations . . . It is not in their instrumental thought and action that we find an essential deficit, but rather primarily in their lack of fellow feeling, or empathetic concern. Many theories of psychopathy agree on this point. (Schramme (2014), 236–237)

We see, then, that despite the various disagreements about psychopathy, it seems quite plausible that psychopaths cannot grasp morality's authority and force. Suppose that is true. According to principle (R) above, since psychopaths cannot grasp morality's authority and force, God has not issued any commands to them, and so DCT implies that they have no moral obligations. Unlike babies and those with severe dementia, the agency of psychopaths is largely intact. Psychopaths can and often do perform evil actions from evil motives, and according to Hare, their evil acts 'result not from a deranged mind but from a cold, calculating rationality' (Hare (1999), 5). Yet on DCT psychopaths do nothing wrong.<sup>4</sup> DCT therefore implies that there walk among us human beings capable of freely and intentionally doing awful, evil things whom God has exempted (or at least permitted to be exempt) from the ordinary requirements of morality. If DCT is true, then for psychopaths, everything is permitted.

Notice that the problem here is not that DCT implies that psychopaths are not responsible for their immoral actions. There are robust philosophical debates about the extent to which psychopaths are legally or morally responsible for their actions (see e.g. Malatesti & McMillan (2010)). However, as far as I can tell, all parties to these debates would accept the claim about psychopaths upon which the argument of this article depends: psychopaths cannot grasp the authority and force of moral demands.<sup>5</sup> As Erick Ramirez puts it, 'psychopaths are said to suffer from moral blindness. Philosophers disagree on whether this moral blindness exempts them from responsibility for their bad behavior' (Ramirez (2013), 224). As this remark suggests, the moral blindness of psychopaths is widely taken for granted – and that moral blindness of psychopaths is the foundation of the central argument of this article. Accordingly, the problem for DCT that I have advanced here is not that it implies that psychopaths violate moral obligations but are not (legally or morally) responsible for doing so; rather, the problem is that DCT implies that psychopaths have no moral obligations to violate in the first place.

The view that psychopaths have no moral obligations and never do anything wrong, no matter how evil their actions, is not only implausible; it is also at odds with the moral commitments of many prominent defenders of DCT. For example, Baggett and Walls write: 'The badness and wrongness of child torture for fun sports the requisite credentials to qualify as about the best candidate for a necessary moral truth that we can imagine . . . If divine command theory abrogates such a moral commitment, there's excellent reason to reject divine command theory' (Baggett & Walls (2011), 131). The view of Baggett and Walls seems to be that torturing children for fun is not only universally wrong but

necessarily wrong. That position straightforwardly contradicts the view that torturing children for fun is permissible when performed by psychopaths. According to the final sentence of the passage above, that means that there's an excellent reason to reject DCT. William Lane Craig claims that atheism implies that psychopaths can do nothing wrong and that this constitutes a serious objection to atheism: 'I can't see why the psychopath does anything morally wrong on naturalism. He just doesn't have this empathy that most other members of the species [do] . . . but why on atheism does the psychopath do anything morally wrong?'<sup>6</sup> And Evans asserts that 'all humans are subject to the claims of morality. No one is so "special" that he or she gets a free pass and can ignore those claims' (Evans (2013), 30). Yet if DCT is true then it seems that psychopaths do get a free pass and can ignore (i.e. are not bound by) the claims of morality. Consequently, the presence of psychopaths in the world appears to pose a serious challenge to the plausibility of DCT – even by the lights of many defenders of DCT.

The central argument of this article may be summarized thus:

*The Psychopath Objection to Divine Command Theory*

1. There are some psychopaths who are incapable of grasping the authority and force of moral demands. (empirical premise)
2. So, there are some psychopaths to whom God has issued no divine commands. (from 1 and R)
3. So, if DCT is true, then there are some psychopaths who have no moral obligations. (from 2 and DCT).
4. But there are no psychopaths who have no moral obligations.
5. Therefore, DCT is false. (from 3 and 4)

**Replies to objections**

How might a defender of DCT respond to this challenge? One straightforward response is to reject premise (1). David Baggett appeals to the case of David Wood as evidence that psychopaths can grasp the authority and force of moral demands. Baggett reports that Wood exhibited psychopathic tendencies as a child and young man and eventually attempted to murder his father. Later, an encounter with a Christian while in prison ultimately triggered Wood's own conversion to Christianity. Baggett writes:

Wood's moral sense was damaged but not beyond repair. The grace of God and the use of his other faculties (like that of reason) enabled him to understand that he did indeed have moral obligations after all. So perhaps the feelings that psychopaths lack are not necessary in order to recognize the reality *and authority* of morality. A psychopath is a person who doesn't feel appropriately about his actions, but reason still leads to moral law. So psychopaths are not incapable of recognizing the moral law, they just lack the right emotional responses to it. (Baggett (2011), emphasis added)

Wood's case is certainly interesting and merits further investigation, but as things stand I don't think it provides much support for the claim that psychopaths can grasp morality's authority and force. Although Wood is sometimes described as a sociopath or a psychopath, the publicly available evidence suggests that he was at one time diagnosed with antisocial personality disorder rather than psychopathy.<sup>7</sup> While antisocial personality disorder and psychopathy are often equated by non-professionals, Kent Kiehl explicitly warns against this practice:

The DSM antisocial personality disorder criteria get you about halfway to the diagnosis of psychopathy using the Hare Psychopathy Checklist-Revised. If you are a clinician working in the community and you complete an interview with your client and he or she meets DSM criteria for antisocial personality disorder, then you know you are dealing with someone with a difficult personality. But then clinicians need to go beyond the DSM criteria and assess for psychopathy using the Hare Psychopathy Checklist-Revised. In this way the clinician will know whether he or she is dealing with a psychopath or not. (Kiehl (2014), 49; also see Hare & Neumann (2010), 101–103)

The Hare Psychopathy Checklist-Revised is considered by experts in the field to be the gold standard for diagnosing psychopathy. Unless David Wood is diagnosed as a psychopath using this instrument, his case provides little evidence that psychopaths can grasp morality's authority and force. Furthermore, psychopathy comes in degrees, and the relevant question here is not whether some psychopaths can grasp morality's authority and force but whether all can. For if even some psychopaths cannot grasp morality's authority and force, they make trouble for DCT in the way explained in the previous section. And the evidence from psychology that at least some psychopaths cannot grasp morality's authority and force is overwhelming. For example, in the final chapter of *The Psychopath Whisperer*, Kiehl discusses the case of serial rapist and murderer Brian Dugan. Kiehl interviewed Dugan and studied his brain. Kiehl reports that 'Brian had scored in the 99th percentile on the Psychopathy Checklist, and his brain data fit within that percentile on gray matter density. Dugan's paralimbic gray matter values were even more atrophied than most psychopaths' (Kiehl (2014), 262). According to Kiehl, this evidence corresponded with Dugan's emotional and behavioural history:

A flat, emotionless affect typified Brian's life from childhood through adolescence. And it was abundantly clear that the fifty-two-year-old man in front of me was completely lacking in affect. Brian suffers from a chronic inability to appreciate the significance of his behavior on others or their behavior on him . . . He was one of the rare inmates who appeared to be unable to appreciate or understand emotion on any level. (*ibid.*, 242–243)

One indication of Dugan's total inability to appreciate the significance of his behaviour is the fact that after abducting and raping women he often gave them his name and telephone number and told them to call him (*ibid.*, 243–244). Dugan seems to be a clear example of someone utterly incapable of grasping the authority and force of any moral demands.

A different reply to the psychopath objection targets principle (R) above. Some of Adams's remarks suggest the view that as long as God communicates his commands in such a way that *the great majority of* adult humans of good will could understand them, then God has communicated his commands well enough to create moral obligations for *all* adult humans. Consider, for example, these remarks by Adams:

[I]t is not plausible . . . to hold that speakers cannot mean, *or command*, more than they expect all or most of their audience to understand. For instance, I would not want to be deemed to have meant, and said, in my undergraduate lectures on Kant's *Critique of Pure Reason*, only what I thought it epistemically possible that virtually everyone in the class would understand. On some topics, with most audiences, a lower standard of communicative success than that is reasonable . . . It does not follow, of course, that what one can reasonably expect one's audience to understand by certain signs imposes no constraint at all on what one can mean (or command) by those signs . . . So if an omniscient being issues commands, it must be by signs that *could* be understood by the intended audience, *or a significant part of it*, as the intended commands. It is not necessary that the signs *will* be so understood, or that the commander must believe that they will . . . Rather, the signs must be such that they would be likely to be understood in the intended sense if the intended audience had a good attitude toward the commander and the relevant situation, and did a good job of interpreting the signs . . . [I]f the signs by which some divine commands are given are moral impulses and sensibilities common to *practically all* adult human beings since some (not too recent) point in the evolution of our species, *all* of us can fairly be counted as subject to those commands. (R. Adams (1999), 268–270, emphasis added)

These remarks suggest the following alternative to (R):

(R\*) God commands a person S to do act A only if a significant portion of persons of good will (those possessing a good attitude towards the commander, those who do a good job interpreting the command, etc.) are capable of recognizing the requirement to do A as being extremely authoritative and as having imperative force.

And under (R\*), the fact that psychopaths are incapable of grasping the authority of moral demands will not necessarily defeat their being morally obligated to observe those demands.<sup>8</sup>

Whatever the merits of (R\*) as an interpretation of Adams's view, I do not think that the view that (R\*) is true but (R) is false is plausible. Recall the stop sign example I discussed earlier. Let's add to that example that the government notified *almost* everyone in your neighbourhood that the new stop signs would be made of construction paper but that they were nevertheless legitimate stop signs. However, again because of budget problems, the government failed to notify *you alone* about the new construction paper stop signs. I do not see how the fact that everyone else got the memo about the stop signs does anything to generate an obligation for *you* to obey the new handwritten stop signs in the neighbourhood. And when it comes to morality, psychopaths are relevantly like you in this example. As Adams says, '[g]ames in which one party incurs guilt for failing to

guess the unexpressed wishes of the other party are not nice games' (*ibid.*, 261) – and such games are no nicer if God expresses His wishes to everyone but you.

A third response to the psychopath challenge is based on the claim that psychopathy is always a consequence of the free actions of human beings.<sup>9</sup> These might be actions by people interacting with the psychopath, such as his parents or guardians, or actions by the psychopath himself, or both. According to this line of thought, psychopathy is always a result of some combination of bad upbringing and repeated immoral action on the part of the psychopath himself. Perhaps repeatedly acting immorally can eventually destroy one's conscience entirely. If this is right, then psychopathy is just another evil that results from the misuse of human free will.

One weakness of this reply is that there is growing evidence that genetic factors make a substantial contribution to psychopathy. From research on the brains of adult psychopaths, teenage boys incarcerated in a maximum-security juvenile prison, and children with 'callous and unemotional traits', Kent Kiehl concludes that it is likely that in many cases the distinctive 'paralimbic atrophy' of psychopaths is 'present from birth' (Kiehl (2014), 214). Kiehl reports that '[e]very adult psychopath I have worked with was different from normal children from a very early age' (*ibid.*, 133). And the authors of a more recent overview of research into the genetic roots of psychopathy say that '[t]he current evidence base clearly indicates that both genetic and environmental risk factors contribute to developmental risk for psychopathy' (Viding & McCrory (2018), 572). Thus, it doesn't seem very plausible to chalk up all cases of psychopathy as entirely a consequence of the misuse of human free will.<sup>10</sup>

But the real problem with the reply is that it doesn't really address the challenge at hand. The psychopath objection to DCT arises from the existence of psychopaths who cannot grasp morality's force or authority; how such psychopaths come into existence has no bearing on the force of the challenge. If, as contemporary DCT-ers contend, God issues commands to all human beings, then He will not permit anyone to opt out of moral obligation altogether by destroying their own conscience. So, if DCT were true, then we would expect that God would not permit the existence of psychopaths, regardless of their origin. We would expect God to have arranged things so that psychopathy is not a possible consequence of the misuse of free will.

### **Biting the bullet?**

Some proponents of DCT may be tempted to bite the bullet and accept that psychopaths have no moral obligations. The DCT-er might suggest that psychopaths' neurological and emotional deficits make them a special case. Their actions can be good or evil but, because they cannot grasp morality's authority, their actions are always morally permissible. Contemporary defenders of DCT typically combine DCT with a theistic account of the nature of good and evil that is

distinct from their account of the nature of moral rightness, wrongness, and obligation. According to such a theistic account of good and evil, God's nature or character is the standard of good and evil and things distinct from God are good or evil depending on how they are related to God. For example, Adams proposes, roughly, that finite things are good to the extent that they faithfully resemble the divine nature (R. Adams (1999), 28–49). Combining such a view of good and evil with DCT creates conceptual space for the proposal that psychopaths can perform actions that conflict with God's nature and hence are evil even though such actions violate no divine command and hence are morally permissible.

The idea here is simply to deny this premise of the psychopath objection:

4. But there are no psychopaths who have no moral obligations.

I've made clear already that I find this position implausible, but let's leave that aside here. In this section I make the case that biting the psychopath bullet appears to be in tension with the typical contemporary DCT-er approach to explaining why God issues the commands He issues.

Contemporary defenders of DCT typically propose that God's commands are at least partly explained by the goodness or evil of the commanded acts. According to Adams, 'the behavior that God commands is not bad, but good, either intrinsically or by serving a pattern of life that is very good' (R. Adams (1999), 255). Similarly, Baggett and Walls write that 'a typical reason that God issues the commands he does is that the actions he commands are good' (Baggett & Walls (2011), 126). And Craig says that 'God forbids rape because it is bad, and it is bad because it is incompatible with God's nature' (Craig (2009), 173). Now, many proponents of DCT emphasize that it is too simple to say that God forbids all and only evil actions and commands all and only good actions. Nevertheless, to the extent that God's commands are somehow grounded in the goodness and badness of actions, it is mysterious why psychopaths are entirely left out of God's aims in issuing commands. When a psychopath engages in rape, the action is bad, so if, as Craig says, God forbids rape because it is bad, then we would expect God to command psychopaths to refrain from rape along with the rest of us. Or consider Evans's assertion that 'God's commands are . . . given for our good. God's commands . . . make it possible for humans to live meaningfully and purposefully' (Evans (2013), 183). If this is true, then God has condemned psychopaths – who are, like the rest of us, human beings created in His image – to meaningless, purposeless lives.

Furthermore, remarks by some proponents of DCT suggest more fully developed accounts of God's reasons for issuing divine commands that are clearly contradicted by the existence of obligation-less psychopaths. For example, Craig in one place says this:

[B]y issuing general commands to humankind, God is able to hold those who do evil acts responsible for their actions . . . Without such commands, evil doers could act with impunity

and face no divine judgement, for they wouldn't have done anything wrong. They would literally get away with murder, which is unacceptable.<sup>11</sup>

Psychopaths can perform evil acts. Craig's reasoning in the passage above suggests that psychopaths should be included in the scope of God's general commands lest they 'get away' with evil-doing. An argument along somewhat similar lines is suggested by some of Adams's remarks. According to Adams, 'God's decisions in commanding [are] guided less directly by the question, What actions would it be good for people to perform? than by the question, What behavior would it be good to oppose with sanctions of punishment, anger, or feelings of guilt?' (R. Adams (1999), 321). Adams further suggests that if God indeed makes His decisions in commanding along such lines, then 'it will seem much more appropriate to direct such sanctions against behavior that violates an existing excellent being' (*ibid.*). And in his discussion of such violations, Adams includes murder, rape, maiming, and torture as violations of existing excellent beings (*ibid.*, 107–112). Taken together, Adams's remarks suggest that God would issue general commands to all human beings, including psychopaths, to refrain from such violations.

Therefore, even leaving aside the implausibility of the position that for psychopaths everything is permitted, the typical DCT-er's approach to explaining God's commands suggests a picture on which God's commands would extend to all human agents who are capable of engaging in good and evil actions. Psychopaths constitute an inexplicable gap in this picture.

### Conclusion

Contemporary defenders of DCT rightly emphasize that if God's commands are to impose moral obligations, God must do His part to ensure that such commands are adequately communicated to their intended recipients. At the very least, the recipients of divine commands must be capable of grasping morality's authority and force. At least some psychopaths are incapable of grasping morality's authority and force, and hence DCT implies that these psychopaths have no moral obligations. Yet they are capable of performing very evil actions. DCT therefore has an implication that is implausible, even according to many proponents of DCT: that there walk among us human beings capable of performing evil actions but without any moral obligations whatsoever. This constitutes a serious challenge for the most prominent contemporary form of DCT, both because it is implausible on its own and because it seems to conflict with the typical DCT-er's approach to explaining why God issues the commands He does. I conclude that the existence of psychopaths poses a serious and previously unrecognized threat to the plausibility of DCT.<sup>12</sup>



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## Notes

1. DCT is part of a family of theories often known as *theological voluntarism* (see Murphy (2014)). While there are various members of this family, DCT seems to be the most popular and prominent member.
2. Sam Harris, in a debate with William Lane Craig, suggests that DCT is ‘psychopathic’ because it detaches morality from human well-being (see <[www.reasonablefaith.org/media/debates/is-the-foundation-of-morality-natural-or-supernatural-the-craig-harris-deba/](http://www.reasonablefaith.org/media/debates/is-the-foundation-of-morality-natural-or-supernatural-the-craig-harris-deba/)>), and I appeal to the existence of psychopaths in criticizing C. S. Lewis’s theistic moral argument (Wielenberg (2008), 80–82). However, the specific argument of the present article is distinct from these previous arguments and is, as far as I know, novel.
3. I use ‘grounds’ here broadly; it encompasses identity, constitution, causation, and perhaps other relations as well. The details of the relation between human moral obligations and divine commands are not relevant to the challenge for DCT I advance in this article.
4. Contemporary defenders of DCT typically hold a theory of good and evil according to which the acts of psychopaths can be evil even if such acts are not morally wrong. For more on this, see ‘Biting the bullet?’ below.
5. It seems to me that all of the contributors to Malatesti and McMillan (2010) would agree that psychopaths are morally blind at least to the extent that they cannot grasp the authority and force of moral demands, and several of the contributors (see chapters 11–16) argue that in virtue of their moral blindness, psychopaths are not morally responsible for their actions. In his contribution to that volume, Stephen Morse summarizes the debate over whether psychopaths should be held legally responsible for criminal acts as follows:

[T]he argument for excusing psychopaths . . . is that they lack the strongest reasons for complying with the law, such as understanding that what they are doing is wrong . . . Psychopaths can only be guided by strictly prudential, entirely egoistic reasons not to be caught and punished . . . In response, most advocates for continuing exclusion of psychopathy as a basis for the insanity defense argue that it is sufficient for criminal responsibility if psychopaths can reason prudentially about their own self-interest. (Morse (2010), 51)

This summary suggests that all parties to the debate concede the moral blindness of psychopaths as I describe it in this article.

6. See <<https://www.reasonablefaith.org/media/reasonable-faith-podcast/do-animals-display-morality/#ixzz4pXrgrUy3>>.
7. See, for example, <<https://ratiochristi.org/people/david-wood>>.
8. I am grateful to an anonymous reader for suggesting this objection.
9. I am grateful to an anonymous reviewer for *Religious Studies* for comments that inspired this objection.
10. A similar suggestion is that psychopathy falls into what Marilyn Adams calls ‘the category of wrecked and ruined human agency’ (M. Adams (2008), 134) and its existence can be accommodated within the Christian world-view in the way that Adams suggests that horrendous evils can be accommodated (see M. Adams (1999); see p. 26 for her definition of horrendous evils). I think that this objection, like the objection discussed in the main text, fails to address the particular challenge for DCT advanced here.
11. Craig advanced this line of argument in his first rebuttal in a debate with me, available online here: <<https://youtu.be/6iVYVJAMiOY>>.
12. I am grateful to Mark Murphy as well as several anonymous readers for their helpful comments on earlier versions of this article.