GOD, MORALITY, AND PSYCHOPATHY

A Critique of Wielenberg

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Abstract: Erik Wielenberg has offered a fascinating argument from moral psychology against a sophisticated theistic account of moral obligations: Divine Command Theory (DCT). This argument focuses on the pathology known as psychopathy—a perennial interest for those concerned with abnormal and moral psychology. The argument can be labeled the argument from psychopathy for convenience. The strength of the argument is that it forces the DCT-ist to maintain that there are some human beings who have no moral obligations yet still do evil actions. This, he argues, is an implausible thesis. Therefore, DCT is false. In this paper, I defend DCT and argue that there is good reason to be neutral or skeptical that psychopaths have moral obligations and, to the degree that they do, they are able to grasp morality in a way consistent with DCT. Furthermore, if the argument does present a serious problem for DCT, then it does so for Wielenberg's own view, Robust Normative Realism (RNR), just as much as DCT.

PSYCHOPATHS AND DCT

Wielenberg sums up his argument in the following way:

1. There are some psychopaths who are incapable of grasping the authority and force of moral demands.
2. 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)
3. Therefore, there are some psychopaths to whom God has issued no divine commands.
4. But there are no psychopaths who have no moral obligations.
5. Therefore, DCT is false (Wielenberg 2018).

Immediately, and rightly so, one could grapple with the validity of the argument and deny that 2 is a necessary condition for DCT to be true, thus rendering the argument not as one against DCT—a robust theory of moral obligations—but rather against some particular account of the divine promulgation of moral obligations. But I am willing to grant that it is a necessary condition of DCT and that the implicit premise that (4.5) if DCT is true, then 3 is true. This is not the position of all DCT-ist, however, since this form of divine promulgation seems to assume that there is something internal to the agent that determines whether God issues commands to them. This is the essence of what we could call an internalist form of DCT, rather than a moral externalist position where there is nothing within the agent that makes a difference as to whether God issues divine commands to them, although it does make a difference, for the externalist, as to whether one is exempt from fulfilling one's moral duties or being morally responsible for not being able to uphold the moral law. Notice further that the "is capable of" clause echoes Kant's ought-implies-can principle, which is important, to varying degrees, to the internalist and externalists. We come back to this discussion later, but it is worth mentioning that an externalist might well reject (R) above.

The nature of divine commands and their communication is a wellspring within DCT- ist literature. Divine commands are the properly communicated will and requirements of God (Evans 2013). This gives us three requirements for one to have moral obligations: (1) there must be a command issued, (2) the command must be issued by a competent authority, and (3) the command must be properly communicated. How then are they "properly communicated"? This is performed in the following way, taken from Robert Adams: (I) a divine command will always involve a sign . . . that is intentionally caused by God. (II) In causing the sign, God must intend to issue a command, and what is commanded is what God intends to command thereby. (III) The sign must be such that the intended audience could understand it as conveying the intended command. This is what counts as a divine command and what is necessary for its proper promulgation (Adams 1999).

From (III), God only issues commands to persons that could understand the signs that are involved in commands as conveying the intended command. There is no use in yelling at a deaf person or waving one's hands frantically at a blind person. The ability to grasp a sign might be through intuition or rational principles. For example, when one comes upon the scene of a few teenagers burning a dog (rather than a cat) alive, one can just see that it is wrong. There is no moral deliberation about it. It is experienced as a moral abomination. However, there are less clear cases in which moral deliberation is necessary. Perhaps I should volunteer at a soup kitchen rather than keep my promise to attend Tyler's birthday. A combination of moral deliberation and moral experience is also common in complex issues such as abortion or the justification of war. The point is that, for many of us, moral experience is indispensable in many of the moral choices and beliefs that we have. To lack a robust experience of morality—a lack of the sense of authority and imperative

force—is to be morally deficient to the extreme. As such, from Adams and Wielenberg, we have a principle from (III), namely (R) above.

As an internalist understanding of promulgation of moral obligations, where the presence of moral requirements upon an individual is based upon something internal to individuals, such as cognitive ability for example, it is not surprising that, as an internalist and DCT-ist myself, I do not find the first two premises problematic. The first premise can be granted regardless of whether one is an internalist or an externalist. The disagreement arises in the importance and relevance of the truth of premise one to moral obligation. The second premise, (R), is just the DCT-ist's version of the moral accessibility principle, which says that in order for one to be a genuine moral agent, one must have sufficient access to the moral realm through things such as moral rationality, moral knowledge, moral development, etc. I should mention, however, that the DCT-ist need not accept premise 1 or 2, even if Adams does. Evans, as an externalist, would not accept 2. Per Evans, "I follow Shafer-Landau on this question and reject internalism. So, for me it is enough that someone knows that some act is morally obligatory or is forbidden to have an obligation . . . One would not say that the person has no obligations, just that the person has an excuse for not fulfilling the obligation" (Evans, Personal Correspondence). It is one thing to disagree with Evans' position on moral internalism or externalism. It is another to present the argument as an argument against DCT itself like Wielenberg does, especially given the externalist and internalist construals of divine command promulgation. This argument hinges on what kind of DCT-ist one is, but (again) I am willing to grant 1–3 for the sake of argument. Thus, the sticking point comes with 4. I will argue that there is little reason to accept 4 as true, rather than unknown or simply false. The reasons for this will begin with how a DCT-ist understands moral obligations.

For the DCT-ist, moral obligations have certain features. Moral obligations are decisive, law-like, deontic concepts that apply to every person of a certain level of cognitive or noetic development. To say that I have an obligation to perform X is to say that I am required, or called to, perform X by an authority over and above myself. Obligations are authoritative concepts, or commands, that require of me certain actions and forbid other actions. Actions that are not obligatory for me are morally neutral, supererogatory, or non-culpable. This would mean that I do not have a moral obligation to do or not do said action, even if other people have an obligation to keep me from performing that action. In addition, and although not all DCT-ists agree with my view here, I take it that moral obligations are also the kinds of things that one is responsible, culpable, blameworthy, or liable for violating.

It would make little sense to say, after having failed a supposed moral duty to perform X, that I am still required to perform X even though I lack necessary access to rational and moral faculties to perform X, a fact that is both beyond my control and characteristic of psychopaths. Thus, I take it that there are no moral obligations that one has that one is not culpable for violating.

To further tease out a proper understanding of moral obligations, and as Matthew Flannagan has noted as well, there is a difference between material moral obligations— also called external or objective moral obligations—and formal moral obligations—also called internal or subjective moral obligations. Material moral obligatoriness is the deontic status that applies to an action in virtue of the circumstances that one finds oneself in and the consequences that follow from that action. Formal moral obligatoriness is the deontic status that applies to an action in virtue of one's beliefs about the morally relevant circumstances and consequences (Flannagan 2021). In my view, this distinction is helpful, even if partially delineated. I say "partially delineated" because formal moral obligations seem to be a proper subset of material obligations in that one's beliefs about morally relevant circumstances is a proper part of one's morally relevant circumstances. As such, one's formal moral obligations are not properly called moral obligations since one who has a formal moral obligation to do X might have a conflicting and overriding material obligation to do Y or not-X. To take Flannagan's illustration, David Cerven committed various armed robberies in Auckland before turning himself in and notifying police that he would be waiting at a local park. When the police arrived, he pretended he had a gun and was promptly shot and killed. Flannagan notes that the police had a material (i.e., objective) obligation not to shoot unarmed people, which included Cerven, but were also formally (i.e., subjectively) permitted to shoot Cerven given their morally relevant beliefs about the matter (Flannagan 2021). In my view, the police were morally permitted to do what they did in both circumstances, material and formal, sense their beliefs about the matter are relevant to whether they were materially permitted to shoot Cerven.

When speaking of moral obligations, i.e., material moral obligations, I also take it that one cannot non-culpably fail to do X if X is a moral obligation. There are no moral laws that one, at some level or another, is not responsible for violating. To say that one state of affairs ought to have been otherwise is not to say that one has a moral obligation to bring about that state of affairs given that, for example, one cannot bring about that state of affairs. There are certain standards of moral behavior, such that to culpably fail to meet such standards is to say that one had a moral obligation to meet such standards. To non-culpably fail to meet such standards just means to fail concerning them due to various

constraints that are not up to the individual, internal or external.

Wielenberg argues that all psychopaths have at least some moral obligations. They are culpable for failing to live up to the moral standard, which would mean that they have at least some moral obligations. He has three reasons for this thesis (premise 4). The first is an appeal to intuition, which is a perfectly valid way to argue. However, I also appeal to the opposite intuition: it seems to me that there are some psychopaths that do not have any moral obligations at all, and if they do, such obligations are compatible with DCT in both their internalist and externalist construals. He attempts to motivate the intuition by saying that it is implausible that psychopaths do nothing wrong,

which is implied on DCT for at least some psychopaths if premises 1–3 are to be believed. But what does "wrong" here mean? Does it just refer to moral standards of behavior? If so, then of course such a thing is implausible, but it is also irrelevant since DCT-ists can grant this as well. If not, if something being wrong refers to something else, then why take the view that some psychopaths not being able to do wrong as implausible? This is because he believes that psychopaths are also culpable for their failure to meet the moral demand or standard. As has been mentioned, I also believe that doing something morally wrong implies culpability, but as we will see, some psychopaths are plausibly not culpable for failing to meet moral standards and so cannot do anything morally wrong. This is not to say that we have no obligations ourselves to stop psychopaths from performing certain actions, whether they are culpable or not, since they can, in a genuine sense, violate other persons of intrinsic value.

One can violate other people without being a moral agent. But if one is a moral agent, one must satisfy two putative conditions: one epistemic condition and the other a control condition. One must have appropriate epistemic access to moral reality, as well as the appropriate level of control over one's morally relevant actions. The presence of both conditions means that one is morally responsible for what happens in a given circumstance. Moral responsibility itself is a rich and fascinating concept that Wielenberg simply notes in passing as involving a robust philosophical debate and that philosophers disagree on whether psychopathic deficiencies imply a lack of moral responsibility. This is surprising since moral responsibility would seem to be a necessary condition of one having moral obligations and is something that one can have only if one is a moral agent. For any action A, person S, and circumstance C, S has a moral obligation to do A in C only if S would be morally responsible for doing (or not doing) A in C, or given morally relevant circumstances prior to C. If we do not know the responsibility status of S in C (or prior to C), then we also should be skeptical that S has any moral obligations in C. Even worse, if it turns out that in no instance of C is S morally responsible for A, then there is no instance of C in which S has a moral obligation to do (or not do) A. To put it simply, where there is no moral responsibility, there are no moral obligations, even if there are, say, legal obligations or obligations of etiquette. It is for this reason, in addition to moral experience, that I have the exact opposite intuition, i.e., that not all psychopaths have moral obligations.

This is not to say that the reverse is true, i.e., that one cannot be morally responsible for actions or consequences that are beyond one's control. This is the point of discussions on moral luck. Many philosophers believe that some persons have moral luck, viz. that some persons are genuinely responsible for actions beyond their control. To take a popular example: Imagine that Ted and Jones attempt to murder their victims. Ted is successful in his task, but Jones' gun jams. Both were equally responsible for their attempted murder, and it was a matter of luckTed succeeded and Jones did not. Do they both have the same degree of moral responsibility? If you said "yes", then you believe in moral luck. This kind of moral luck is typically called resultant or consequential

moral luck, but it has its place beside circumstantial and constitutive moral luck.

At bottom, the debate on moral luck comes down to how strongly one understands the control condition for moral responsibility. Taken as strongly as it can, it is the condition that, necessarily, there are no two or more persons that are the same in all features that are under their control yet whose morally relevant status nonetheless differs (Enoch 2008). Perhaps the control condition is not so sweeping. In that case, one could take the condition to apply, without limit, to obligation, permissibility, and character while only taking the condition to apply partially to outcomes or consequences (Kumar 2018). In either instance, the control condition that I press is deliberately formulated to avoid this debate and leave the status of moral luck an open question since all that is required is an "appropriate" level of control for responsibility and obligations, whatever that comes to.

The second motivation to accept 4 is the claim that psychopaths do evil things with evil intentions. Wielenberg says that "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'" (Wielenberg 2018, p. 8). This deserves some unpacking. First, he never defines what he means by "evil", or what an evil action requires. This is pivotal to his claim that psychopaths do evil actions. To offer a few operative definitions, first define an action as bad if and only if it causes, perhaps unnecessary, suffering to a being of intrinsic value. This includes moral agents and non-moral agents or happenings, such as natural disasters. Let us say that an action is evil if and only if it is bad and performed in conjunction with or as a result of intentions that are formed by considering moral reasons. An action that is morally wrong for an agent to do is one that is evil and contradicts a moral duty to not do said action. An action can be evil, but not wrong in the following way:

James is on a remote island where he has been taught from birth that killing people and eating them during the Shingami festival is a sign of respect. No matter how he reasons, he will come to that conclusion or one like it. What he is doing is evil, but not wrong if doing something wrong requires that one be culpable. If doing wrong does not imply culpability, then doing evil is enough for doing something wrong, and premise 2 is false and not required for DCT. It would just turn out that internalism about moral obligations is false.

Given these terms, it is clear that psychopaths do actions that are bad, yet not evil or wrong for them to do. This is also not a new concept. Actions that are bad or evil, yet not wrong, are also known as infravetatory actions (Swinburne 2008, p. 7). That does not mean that such actions are permissible. The psychopath who engages in infravetatory actions does so in a way that they are not morally culpable or, in the least, are not violating moral obligations, yet we have a moral duty to stop them. Their actions are impermissible on one level or another. The seeming moral insanity of psychopaths (see Schramme

2014, p. 3), not to mention the theologically charged notion of "evil", is enough, I think, to be skeptical that psychopaths can do anything evil as defined in the aforementioned sense (de Sousa and Heinrichs 2010, p. 299). Evil intent is not something that can be realized in the psychopath since they cannot take a moral stance and do not have the option of developing a specifically evil perspective. If evil does not require an evil intention but rather is synonymous with "bad", then hurricanes and tsunamis are evil, though clearly not moral agents. Thus, amoral agents could do things that are evil yet not wrong, and so evil would have no obvious connection to moral agency at all. Psychopaths could therefore be amoral agents— incapable of violating moral obligations or being culpable for their actions—and yet still do evil actions, contrary to what Wielenberg says.

Second, if it is true that psychopaths so often do evil things with evil intentions, would it not be correct to call them evil as a result? That is typically what we call people who do the kind of things that psychopaths often do. Perhaps we could call them agents of evil (like natural disasters) if evil actions did not require evil intentions, but that does nothing to show that they are evil agents (like immoralists). Notice that Hare above describes them as cold, not evil. There is a reason for that. That is because, even to Hare, while psychopaths might be agents of evil when they harm other persons, they are not evil persons. It is more likely that the behavior of psychopaths—including the few that murder and mutilate—stems from a total indifference to the feelings or welfare of others than from sure evil. Their eyes are those of an emotionless predator, not those of Satan. (Hare 2011, p. 210)

They are not moral free riders, moral nihilists, immoralists, or rational moralists (Jacobs 2014, p. 137). They are usually viewed as amoralists (Ibid., 144), though they should be thought of as rational amoralists (Benn 2014, p. 170). They give rational explanations for their behavior (sometimes) but very rarely give moral reasons for why they did (or did not do) something. They use language without understanding the meaning beyond that language, which is referred to as Semantic Dementia in the literature (Adshead 2014). They are predators who sometimes take account of the suffering of their prey in delight, at other times with total indifference (Maibom 2014, p. 91).8 The amoralist is a person who is not a moral agent and cannot deal competently in moral matters (Schramme 2014, p. 322).

Before getting into the final argument for 4, I want to mention that Wielenberg's view seems strikingly similar to, or at least supported by, Mathew Talbert's attributionism, which says that a sufficient condition for moral responsibility is that one treats another with con- tempt or ill will (Talbert 2014, p. 282). Psychopaths treat others with ill will by disregarding their explicit and implicit demands to have their rights respected and not be wronged. Therefore, as Talbert and Wielenberg would (or should) argue, all psychopaths have at least some moral responsibility. On this view, one would be morally responsible regardless of whether one has moral knowledge, moral rationality, and their developmental history.

Psychopaths can therefore be responsible for violating at least some moral obligations that they have. As I will argue, given the current evidence in the literature on psychopaths, this is very unlikely.

The final argument for 4 is that there is a tension between DCT and God not com- manding psychopaths like the rest of us. Part of the reason that God commands us to do, or refrain from doing, certain things is for our good. The goodness and badness of certain actions is one of the reasons that God commands us concerning them. If that is true, then it is inexplicable why God still does not command psychopaths to not do some actions, such as rape, given that rape is bad or evil. If God's commands are partially grounded in the badness or goodness of actions, then why would God still not command the psychopath?

This argument can be understood in a few ways, but I take it that the thrust of the argument is something like this: if DCT were true, then there would be no psychopaths because God would have ample reason to command psychopaths to do certain things.

As a paradigmatically rational being, God would act reasonably and issue commands to psychopaths for their own good and ours. While it is true that God considers the goodness and badness of actions when issuing commands, the point of issuing commands is, as Evans says, for our good—making us into virtuous persons who can relate to God as a friend. But if God knew that giving commands to psychopaths would not do any good because they are morally deaf, then what is the point in giving commands at all? Screaming louder at a deaf person will do nothing except prove an exercise in futility. On the other hand, God could cure their moral deafness so that His commands could be heard. If so, then why does he not? I am not aware of a single overarching reason, but there are plenty of available possible and, in my view, probable explanations. It is doubtful that God has only one reason, given that God knows the kind of ripples in time that can happen from the smallest change. A few answers come to mind: salvific planning, the greater good, free will, and soul-making theodicies. All of these combined make a robust case for not issuing commands to some psychopaths, who represent an extremely small percentage of human beings at the present time. This does not mean that God will never command psychopaths or heal them of their ailments, but only for a little while. Regardless of what God's reasons are unless there is good reason to think that God does not have such reasons, I do not think that psychopathy can be used in such a way as evidence against theism or DCT. It is not enough to show that some of the available explanations do not work. That is not an argument against DCT but only against some DCT-ists.

To finalize the point that we should view 4 with strong suspicion, Iargue that there is good reason to think that 4 is false with respect to high psychopaths. Psychopaths are not moral agents, even if they are, to some extent, rational agents. To say that they are the same thing would be suspiciously similar to identifying rational oughts with moral ones—or one's

access to rational oughts with one's access to moral ones—surely an unacceptable position.

In the next section, I hone in on the nature of psychopaths and the admittedly rare condition and argue that we should take Gilbert Ryle's words to heart that "a person who does not care about the difference between right and wrong has not yet learned the difference" (Ryle 1971, pp. 381–90).

THE AMORALITY AND MORAL INCAPACITY OF PSYCHOPATHS

The operative case under discussion is psychopathy—an extremely rare condition that represents the extreme edge of abnormal psychologies. If we are going to consider psychopaths when trying to understand moral agency, responsibility, and theories of obligations, we need a clear picture of what we are dealing with. This is the aim of Section 2, so let us begin.

Among moral psychologists, it is generally accepted that we have two options when it comes to psychopaths: either they are (1) not morally responsible for their actions or (2) their moral responsibility will be severely diminished as a result of various factors (Haji 2010a). To what degree (1) or (2) applies to an individual psychopath will depend upon how high he/she scores on certain diagnostic tools, such as Robert Hare's Psychopathy Checklist Revised (PCL-R), which is the gold standard checklist for psychopathy. The higher the score, the less likely one is to be morally responsible for one's actions and the more psychopathic one is likely to be. Psychopaths are the worst off among those with Antisocial Personality Disorder (APD). In the US, a minimum score of 30 out of 40 is required for a diagnosis that one is probably a psychopath.10 Once one reaches 34 on the scale, they are deemed "high psychopaths" in that they are qualitatively different than "successful" or "low" psychopaths. The point here is that there is a spectrum to the diagnoses, and since we are focused on the ones with the worst deficiencies relevant to moral agency, I will be talking about high psychopaths.

As Wielenberg argues using the current psychological and psychiatric literature, psychopaths are morally blind, which means that they are severely deficient in terms of both affective and rational capacities. More specifically, psychopaths lack identifying empa- thy, guilt, remorse, fear, love, shame, and moral capacities such as moral and practical rationality, knowledge, practical wisdom, and moral patiency—namely, the understanding that one has vulnerabilities, is dependent on others, and that morality constitutes use- ful behavior within a moral community, reason-responsiveness, moral judgment, moral intention formation, self-reflection, and the ability to improve morally. Psychopathy is a developmental disorder in which moral development is stagnated from an early age, resulting in an inability to truly care about morality or other persons qua persons or have meaningful relationships (Schramme 2014, p. 322). They view people as mere objects rather than human beings (Hare 2011, p. 93).

Furthermore, the amorality and moral responsibility of psychopaths are things that are so important to the discussion of whether psychopaths have moral obligations, yet, except for a footnote, Wielenberg does not explore them further. In the footnote, he notes that the consensus among the authors of Mcmillan and Malatesti (2010), according to Thomas Schramme, is that psychopaths lack moral responsibility for their actions. If that is true, and it is also true that where moral responsibility is absent, so are moral obligations, then it also follows that psychopaths have no moral obligations. Even Schramme, as a result of the psychopath's moral blindness, argues, quite rightly, that psychopaths are not moral agents or moral persons. It is not that psychopaths have moral obligations and are not blameworthy for violating them. They do not have moral obligations at all, or if they do, then it is for a host of reasons that are compatible with DCT. For example, if the psychopath comes to have sufficient moral knowledge that is required for moral responsibility, then God's commands can indeed be heard, though perhaps to a muffled degree.

As for the amorality of psychopaths, it is "now accepted", according to Gwen Adshead, that emotional experience and reflection are essential for moral reasoning (Adshead 2014, p. 119). Without moral reasoning, including self-reflection, one of the primary things that separate us from mere animals, we cannot be moral agents. We could be clever, but not moral reasoners. It is the presence of both rational and emotional/affective capacities that make one a moral person (Schramme 2014, p. 240). We should be very suspicious of the idea that serious deficits of the will concerning morality can happen without other volitional or ra- tional structures being likewise impaired (Jacobs 2014, pp. 148–49; Schramme 2014, p. 323).

This is one of the reasons that philosophers are so interested in psychopaths: they seem to be prime cases of amorality. In fact, one of the first clinicians, Philippe Pinel, to write about psychopaths referred to psychopaths as "morally neutral" (Hare 2011, p. 25). The idea of the amoralist is still prevalent among philosophers and psychologists (Haji 2010b, p. 263).

Terms such as "morally insane", "amoralist", exhibiting "profound amoralism", and "mentally deranged" are applied to psychopaths often (Kennett 2010, p. 243; Gillett 2010, p. 286).

Such a dismal description of such persons, in addition to the inability of psychopaths to genuinely distinguish between moral rules and rules of convention, is what leads Neil Levy and Jeanette Kennett to conclude that psychopaths are worse off in moral matters than autistic 5-year-old children. The age can be lowered to 3 since even at that age, children can distinguish, in a morally relevant way, between moral and conventional rules (Kennett 2010, p. 263; Levy 2010; Levy 2014). Presumably, Wielenberg would be fine with saying that children that young do not have moral obligations, and even more so those that are worse off in moral reasoning. Being a rational or normative agent is thus not sufficient for being a moral agent. Persons that are not moral agents cannot do anything wrong, in the sense of culpably violating moral

standards, or anything evil, since evil requires moral intention formation. Psychopaths therefore have no moral obligations to violate since they lack sufficient access to the moral universe to be deeply and truly part of a moral community.

MORAL INTERNALISM VS. EXTERNALISM

When referring to internalism and externalism above, remember that this is with respect to the promulgation of divine commands. This debate is closely related to the overall moral internalism vs. moral externalism debate—indeed, it is inevitable and provides another way of understanding where Wielenberg, and those of kin, are coming from. This also presents another way one might respond to Wielenberg's argument. One combination of views, reasons externalism—the view that moral judgments do not have a necessary connection to motivating or justifying reasons—a view held by Shafer-Landau, and moral rationalism—the view that moral obligations either are or entail reasons for action—which is held by both Shafer-Landau and Wielenberg, forces one to conclude that there are some people who will be completely blind to their moral obligations. Notice that both of these—reasons externalism and moral rationalism—are forms of externalism. The moral obligations of psychopaths can be affirmed either by saying that (1) psychopaths can reason sufficiently for moral agency and, therefore, moral obligations or (2) argue that even perfect reasoning is irrelevant or unnecessary for one having moral obligations. Wielenberg argues the former, while Shafer-Landau argues the latter. Let us assume that Wielenberg grants what I have said so far and moves to the next step by arguing for (2) alongside Shafer-Landau. Shafer-Landau himself does this by saying that psychopaths " . . . will fail to see what they must do, even were they to reason perfectly from their psychological standpoint. Theirs is a make-up so morally askew that nothing therein is rationally related to moral demands". He argues that they have a possibly ineliminable blindness to moral reasons that still apply to them. These contexts, both the blindness and the reasons for the blindness, are tragic but still exist. These persons are completely blind to moral reasons and moral obligations and are not blameworthy for being as such, yet there are still standards of correct moral behavior that they can violate (Shafer-Landau 2003, pp. 213–14).

Now, in order to make this work, assuming that we are referring to the culpable failure to meet moral standards, one would have to argue that one could lack the relevant internal rational and affective capacities—lacking all access to the moral realm—and still have moral obligations and be morally blameworthy for violating something that one ought not to have violated even though one could not have refrained. It then turns into a defense of premise 1, but now premise 4 is implausible since then the ought–implies–can principle, even weaker forms of it, would be violated. Like Wielenberg's defense of the

argument, one's understanding of moral obligations will have consequences for how we should understand the argument. We risk talking past one another if one presents an internal critique of an internalist view from an externalist perspective. Either way, one must either reject (1) or (2) or reject the argument from psychopathy on this understanding of moral obligations.

If, however, we are referring to the non-culpable failure to meet moral standards of behavior, then premise 2 is false. The DCT-ist, again, accepts moral standards of behavior but can either count such failures as violating moral obligations, which is something that some moral externalists would say, or not, which internalists would argue. We would need a good argument for thinking that these non-culpable failures do count as violating moral obligations to take the argument as significant on this understanding of morality which, at present, is lacking. If such an argument can be presented, this would present, at most, a problem for DCT, but not a unique problem for DCT, since on this view, neither communication of divine command nor one's access to the moral realm seems to matter in terms of whether we have obligations. Improper access to the moral realm would only mean that we lack culpability or responsibility for failing to do what we ought to have done. If this is a problem, then it is a problem for moral realism, not just DCT. At this stage, the argument seems to prove too much.

THE SWORD OF DAMOCLES

Suppose for the moment that Wielenberg is right that all psychopaths have moral obligations. In that case, it turns out that either 1 is false or RNR is in just as much trouble as DCT. On RNR, moral obligations are defined as "decisive normative reasons", namely "reasons that one ought to be responsive too" (Wielenberg 2014, pp. 7–8). However, given that ought implies can, if one cannot be responsive to such reasons, even with the treatment available, then one is not obligated to be so responsive. As I have argued, psychopaths cannot be so responsive to such reasons. Therefore, moral obligations cannot be decisive normative reasons since they can never be decisive for the psychopath, yet all psychopaths have at least some moral obligations. Thus, RNR is false. This argument might take something like the following form:

1. There are some psychopaths who (non-culpably) cannot be responsive to normative or moral reasons, let alone decisive normative reasons, i.e., moral obligations.
2. A person S only has moral obligation M to do action A if and only if S is capable of being responsive to normative/moral reasons to do A. (R*)
3. Therefore, there are some psychopaths who have no moral obligations.
4. But there are no psychopaths who have no moral obligations.
5. Therefore, RNR is false.

Wielenberg denies 3*, but this results in a few problems. On the one hand, if *1 is denied, then, for analogous reasons, 3 and 1 above should also be denied. Claiming that psychopaths can be responsive to moral reasons, in the sense perhaps a moral nihilist or immoralist might, is to admit that psychopaths have sufficient access to the moral law, which is all that is required to argue that psychopaths are capable of grasping the authority and force of morality. Unless one wants to reduce moral oughts (or one's access to moral oughts) to rational oughts (or one's access to rational oughts), the arguments are analogously supported or denied. Wielenberg accepts this premise when it comes to young children and those with advanced dementia, and given the psychological data above, he should accept it concerning psychopaths as well.

On the other hand, if 2* is denied, which is as modest as 2 above since it is the capability of being responsive to moral reasons, then one would have to say that the fact that some normative/moral reasons can never be decisive for some is not enough to say that they have no moral obligations, which violates the very definition of moral obligations that Wielenberg has provided. This is to go back to moral rationalism and reasons externalism. It is no less absurd to believe that people can have no access to the moral realm yet still have moral obligations than it is to say that psychopaths can do bad or evil things yet not violate moral obligations.

2* can also be reformulated to include a temporal component such that, given a person's developmental history, if such a history (non-culpably) precludes the ability to be responsive to moral reasons, then one has no moral obligations in the sense that Wielenberg stipulates. Thus, 2* would be refashioned as the following: (2**) A person S only has moral obligation M to do action A if and only if S, given S's (non-culpable) developmental history, S is capable of being responsive to normative/moral reasons to do A. (R**)

HAS GOD ABANDONED PSYCHOPATHS?

After all of this, and as a deeply religious person, the question of whether God has abandoned psychopaths is of great interest to me. I think that the answer to this question is similar to the answer that people give when asked if God has abandoned them in their suffering. Of course, the answer is 'no'. However, one difference between suffering and psychopathy is that there are a multitude of successful clinical treatments for the effects of the former, yet there is no such treatment for psychopaths that has been successful. This does not mean that we should give up on treating them, nor does it mean that God has given them up. They will be treated the same as those who have other moral incapacities or deficiencies. They will be judged to the degree that they are morally responsible for their actions. Depending upon what religious tradition one accepts, they will then go through a sanctification process (some call this purgatory) and be assigned a temporary place of residence for the final judgment. A person does not, therefore, live a purposeless and meaningless life

simply because he cannot respond to God's commands in this life, as Wielenberg charges. There is more to life than this life.

Irrespective of one's religious (or non-religious) tradition, we should think about how a just and/or loving God would treat those of similar rational or affective deficiencies. If no satisfactory answer is forthcoming, then perhaps we should be satisfied with not knowing and simply trust God with the healing and sentencing required for those with psychopathy, dementia, and brain defects. A just God would judge based upon the degree of revelation or light that one has, and the psychopath has admittedly very little to none.

ENDING SENTIMENTS

At first glance at Wielenberg's argument, it strikes as contradictory since it seems that 1 implied ~4. Although Wielenberg quotes several DCT-ists that seem to suggest they support 1 and 4, my intuition about this implication was further confirmed from correspondence with those same DCT-ists,13 that if 1 is true, then it makes little sense to argue 4, since ~4 is implied by 1 when one understands moral obligations in the internalist fashion. This is because internalists take moral obligations to imply culpability for failing to perform what one is obligated to perform, even if such responsibility is pushed back to an earlier moral failing. Additionally, as we saw, arguing otherwise brings to light several problems with RNR just as well. This discussion has shown, I think, that in the middle of 1 and 4 lies a wealth of debate concerning moral responsibility and agency that a psychopath might or might not possess. As Sousa and Heinrichs put it, "our response to psychopaths will be only as coherent as our most basic conceptions of evil, guilt, and moral responsibility" (de Sousa and Heinrichs2010 , p. 300). Such discussions are vital to Wielenberg's argument and, for now at least, he has not sufficiently argued for the acceptance of both 1 and 4, nor are such prospects promising.

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