

# Moral Unreason: The Case of Psychopathy

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**Abstract:** Psychopaths are renowned for their immoral behavior. They are ideal candidates for testing the empirical plausibility of moral theories. Many think the source of their immorality is their emotional deficits. Psychopaths experience no guilt or remorse, feel no empathy, and appear to be perfectly rational. If this is true, sentimentalism is supported over rationalism. Here, I examine the nature of psychopathic practical reason and argue that it is impaired. The relevance to morality is discussed. I conclude that rationalists can explain the moral deficits of psychopaths as well as sentimentalists. In the process, I identify psychological structures that underpin practical rationality.

Psychopathic individuals are perhaps best known for their flagrant disregard for social and moral norms. A number of psychopathologies are connected with violent and amoral behavior—such as schizophrenia and multiple personality disorder—but the profile of the psychopath is unique. Psychopaths are not subject to the profound disturbances of thoughts characteristic of these other conditions, but appear lucid and rational, yet peculiarly incapable of sustaining adult socialized behavior. They have dysfunctional personal relationships, characterized by violence, exploitation, and philandering. Most never gain any education to speak of or have successful careers due to an inability to put up with routine work and sustained mental effort. It is common for them to have criminal records of one form or another, often starting in early adolescence. Emotionally, they are significantly impaired, incapable of feeling guilt or empathy, their fear and pain responses are abnormal, and their other emotions are shallow compared to the normal population. They are manipulative, egocentric, and impulsive (Cleckley, 1976; Hare, 1993).

Given their peculiar profile, psychopaths are of particular interest to moral philosophy. At first blush, it appears that they refuse to adopt social and moral norms, not because they are mad, but because they are not swayed by the emotions that influence us. They are unhampered by guilt, remorse, or fear of retribution. Central to this emotional landscape is a complete lack of empathy. This provides substantial support for sentimentalism as an empirical theory, particularly of the Humean sort. For Hume, the judgment that something is morally right or wrong is

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nothing but the feeling of approbation or disapprobation of that something. What makes an agent virtuous is her propensity to feel certain emotions and not others under specific circumstances. All moral emotions ultimately derive from our ability and inclination to share the feelings of those around us. Hume calls this vicarious emotional sharing ‘sympathy’ which corresponds to ‘empathy’ as it is currently used (Hume, 1777/1975; Mackie, 1980). Without empathy or normal emotions, then, the moral emotions can’t develop, and the individual will be immoral or amoral, if you like. Psychopaths fit this profile exactly.

The question remains whether psychopathy provides support of sentimentalism as an empirical theory over competing ethical theories. For instance, does psychopathy support sentimentalism over rationalism—the idea that morality is a form of practical rationality? On the face of it, it would seem so. Compared to other populations with behavioral and emotional problems, psychopaths appear remarkably rational. On this basis, Shaun Nichols (2002a) argues that psychopathy presents a case in favor of sentimentalism and against rationalism.<sup>1</sup> The idea is as follows. Any direct attempts to argue that it is irrational to be immoral or that it is not irrational to be immoral have been inconclusive insofar as opinions remain strongly divided. But one might go about things in a more indirect way. Since neither position is impressed by the other’s insistence that immoral acts are expressions of lacking emotions or deficient practical reason, we may be able to advance the debate by moving outside the moral realm to where opinions tend to concur. Most rationalists and sentimentalists agree that a person incapable of feeling regret lacks moral emotions and that someone incapable of forming a coherent plan of action is lacking in practical reason.<sup>2</sup> If emotion is centrally involved in morality, we should expect amorality to correlate significantly with disturbed emotions. Similarly, if rationalism is true, we should expect immorality to be connected with a high degree of practical irrationality. Since it is clear that psychopaths have emotional deficits of the sort relevant to sentimentalist view of morality, the question I will be concerned with is whether they also have deficits in their practical reason. If we find, as Nichols claims, that psychopaths have intact reason, sentimentalism gains strong support over rationalism.

I will argue that although psychopathy supports sentimentalism it does not speak against rationalism. Psychopaths have deficits in their practical reason that are rarely

<sup>1</sup> In his own account of morality, Nichols (2002b) includes both an affective and a normative theory element. On this view, psychopathic amorality consists in lacking the affective element.

<sup>2</sup> In what follows, what I say about sentimentalism cannot always be said about Hume. Hume thought that passions were original existences that didn’t represent anything, and that only false beliefs could lead to irrational passion or willing/intending. I assume that most modern sentimentalists or Humeans deny both. Such denial is quite compatible with a Humean theory of motivation (Smith, 1994) and sentimentalist moral theory (Mackie, 1977; Blackburn, 1998). Means-end reasoning can be substantial whilst still purely instrumental. Cf. also Korsgaard’s (1996) powerful argument that even Humeans ought to accept some genuine cases of irrationality.

large enough for us to regard them as mad, but that nevertheless significantly impair their decision-making abilities. For instance, they have a narrowed attention span, limiting how many things they can pay attention to at the same time and how long they can sustain attention. In consequence, they experience a number of difficulties in reasoning that directly impacts their moral competence: difficulty coherently universalizing maxims, understanding their duty, and applying any moral understanding they might have. If I'm right, psychopathy does not present a case against rationalism. However, much of the interest of the paper lies in *why* psychopathy does not present such a case. I connect psychological mechanisms and processes with practical rationality with the aim of showing how the former underpin the latter. I hope it will also provide more flesh to the idea of immorality as rational deficit.

The paper is organized as follows. First, I introduce constraints on practical reason that are relatively uncontroversial and bear a close relation to moral judgment. For this I lean on Onora O'Neill's (1998) interpretation of Kant's ethical project. Second, I examine the cognitive shortcomings of psychopaths and link them to shortcomings in practical reason. I show that psychopaths are not irrational only when they are also immoral. They have more general rational deficits. Third, I show how the deficits found in psychopaths' practical reason impact their moral capacities. In section 4 and 5, I address objections to my position. I argue against the suggestion that humans with undeveloped reason nevertheless are morally competent, that psychopaths' deficits can't be rational because they are untreatable, and that their practical reasoning deficits cannot be explained in terms of an underlying emotional deficit (cf. Damasio, 1994). Finally, I outline some psychological mechanisms that underpin practical rationality.

## 1. Practical Reason

For a rationalist, a rational agent's will is guided by moral considerations insofar as it is guided by rational considerations. In the Kantian case, such considerations are embodied in the various formulations of the Categorical Imperative. For our purposes, we can confine ourselves to the ideas that we must not perform actions that we cannot will that any other agent placed in relevantly similar circumstances perform, nor must we ever treat an agent merely as means to our ends. I will concentrate more on universalization since the role of consistency in this process is clearer than when we consider whether we treat others merely as means to an end. More than constraints on actions, categorical imperatives are constraints on the structure of intentions that we are permitted to adopt.<sup>3</sup> But intentions are subject to many rational constraints, not all of which are also moral. For instance, it is irrational to intend to perform some action but not intend to adopt the means that are essential for doing so (Kant, 1785/1993). Moral constraints form a subclass, albeit an important one, of rational constraints on intending.

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<sup>3</sup> I talk of 'intending' something where Kant generally talks of 'willing' it.

When we act, properly speaking, we act on some intentions, reasons, or, as Kant would put it, on maxims. They need not be the result of conscious or effortful reflection. Indeed, we need not be aware of them. As agents, however, we act for reasons, and we are responsible for acting on the right ones. Insofar as morality is possible, we can influence existing maxims and formulate new ones. At a conscious level, we do so by identifying and attempting to universalize intentions. If we can do so consistently, acting on those intentions is morally permissible (as long as we do not treat other rational agents merely as means to our ends). Presumably most moral deliberation takes place on a less reflective and more automatic level, but we can use the above as a model of moral reasoning. This process of moral reasoning is threatened by inconsistency not only in the process of universalization, but also in the very conception and willing of the maxim to be universalized, as O'Neill (1998) has so persuasively argued. Immorality, then, might ultimately derive from inconsistencies in the adoption of a maxim, since inconsistency in an un-universalized maxim carries over to a universalized maxim even though the problem is not an illicit adoption of double standards. For instance, in an attempt to meet my end of saving life, I form the intention of killing the doctor who performs abortions. Disregarding other considerations, the fact that the means chosen to satisfy my end is inconsistent with it, renders the plan of action impermissible. If my aim is to save life *tout court* I cannot do so consistently with killing to obtain that aim. Killing in self-defense is no counter-example. Here, the end that I further is saving my own life, not life *tout court*, wherefore killing my attacker is not inconsistent with the ultimate end of that action. Again, we cannot but fail to be morally worthy if we are deficient in practical reason because we won't be performing the right actions for the right reasons.

The adoption of a particular intention is, as far as reason is concerned, subject to two conditions: that the intention is internally coherent (consistency in conception) and that we can will it consistently. For instance, it is not coherent for me to intend to be a good spouse by always putting myself first. Similarly, I cannot consistently will to earn a degree whilst intending to do no work for it. Even if we constrain ourselves to conditions on willing that are more or less analytic—on the assumption that one accepts such a notion—there are many ways in which volitional inconsistencies can arise. Kant, himself, pointed only to one such way, as mentioned above, (1785/1993, p. 417):

Whoever wills the end, wills (so far as reason has decisive influence on his actions) also the means that are indispensably necessary to his actions and that lie in his power.

In short, it is inconsistent, consequently irrational, for anyone to will the end but not the relevant means. In her defense of a substantial and autonomous Kantian ethics, O'Neill outlines further conditions on practical reason (1998, pp. 515–16):<sup>4</sup>

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<sup>4</sup> What follows is a condensation of the passage with one of her conditions left out.

Practical rationality requires that who wills the end, also wills:

- (a) the means that are indispensably necessary to his actions and that lie in his power,
- (b) some sufficient means to the end,
- (c) to make available necessary and/or sufficient means to the end if such means aren't already available,
- (d) that the various specific intentions that are involved in adopting a maxim are mutually consistent, and
- (e) that the foreseeable consequences of acting on the specific intentions are consistent with the underlying intention.

I take it that this list contains relatively uncontroversial constraints on practical reason insofar as it is reasonable for us to doubt whether someone really intends or wills something if there are serious problems with her willing (a) through (e). To be sure, we all experience various difficulties with (a) to (e). Humans are more or less rational, and are subject to constraints other than rational ones. For instance, time is a considerable constraint in practical reasoning. Nevertheless, our intending something is subject, as far as time allows, by (a)–(e) in order that we be regarded as truly intending that something. The strength of the argument to follow does not rely on this list presenting necessary and sufficient conditions on consistent intending or willing, but on a group of individuals experiencing greater and more principled disturbances in their capacity to will (a)–(e) than other individuals, subject to the same constraints on time, etc.

## 2. Psychopathic Reason

One of our subjects, who scored high on the *Psychopathy Checklist*, said that while walking to party he decided to buy a case of beer, but realized that he had left his wallet at home six or seven blocks away. Not wanting to walk back, he picked up a heavy piece of wood and robbed the nearest gas station, seriously injuring the attendant (R.D. Hare, 1993, pp. 58–9).

On the face of it, the reasoning skills of psychopathic individuals appear intact albeit almost exclusively egocentric. As opposed to the criminally insane, psychopaths exhibit knowledge of right and wrong. Nevertheless, their understanding is deviant and incomplete. They fail to regard moral norms as a separate and privileged set of norms, and they appear unmotivated by their understanding that they are not supposed to perform certain actions. Transgression of moral norms is generally regarded as being more serious, less permissible, and its wrongness less dependent upon authority than violation of conventional norms (Turiel, 1983). However, a study of the psychopathic prison population failed to find a significant difference in their responses on these dimensions—in contrast to criminal controls

(Blair, 1995). Their justifications for their judgments are equally deviant. In particular, reference to the welfare of others is very rare or entirely absent compared to non-psychopathic individuals (Blair, 1995, but see footnote 14). The moral universe of the psychopath seems characterized by rules set by some authority where harm to others or concern for them is not at all salient. It seems very plausible that this lack of salience is directly due to their well-known lack of empathy. Consequently, the emotional deficit is seen by many to form the root of the moral one (cf. Hare, 1993; Blair, 1995; Day and Wong, 1995; Nichols, 2002a).

If psychopaths have normal reasoning skills and they are peculiarly insensitive to moral considerations, we have evidence that you can be otherwise rational without being moral. This is an undesirable result for rationalists. One would expect practical irrationality to be a relatively global phenomenon, affecting not only the moral capacities of a person, but their ability to make decisions more generally. If psychopaths are irrational *only* when they are also immoral, we would want an explanation of why this sort of irrationality is limited to the moral domain. Short of this, rationalists may appear to be begging the question, particularly since sentimentalists can point to global emotional deficits that their moral theory predicts negatively impact a person's moral capacity.

In defense of rationalism, I propose to show that psychopaths have a general rational deficit. There is experimental and anecdotal evidence for a number of cognitive shortcomings in psychopathic individuals. They frequently act in their own worst interest (Hare, 1993; Blair *et al.*, 2001b), exhibit cognitive-perceptual shortcomings in the *recognition* of certain emotions in others' faces and voices (Blair *et al.*, 2001a; Blair and Coles, 2000; Blair *et al.*, 2002), have attention deficits, a grossly inflated view of their abilities, and are intransigent to certain forms of conditioning (Hare, 1978). Linking these deficits up to failures of practical rationality by means of O'Neill's conditions on consistent willing, we find that psychopaths experience principled difficulties willing the necessary and sufficient means to their ends ((a) and (b)), making available such means (c), making sure that all the various intentions adopted either as means or ends are consistent with each other (d) and the foreseeable consequences of acting on them (e).

In contrast to controls, psychopathic individuals show marked deficiencies in learning to deploy means to their ends. Robert Hare found that if asked to learn to navigate a maze by manipulating certain levers *and* avoid painful shocks related to certain levers, psychopathic individuals learn the former but not the latter (as quoted in Eysenck, 1994). They also show shortcomings on the so-called gambling task (Bechara *et al.*, 1994; Blair *et al.*, 2001b).<sup>5</sup> This task involves learning to choose cards from only those decks that are associated with the least losses and highest gains. Two out of the four available decks have higher rewards but also higher

<sup>5</sup> In some versions of the gambling task, there was no difference in performance between psychopathic and non-psychopathic individuals. However, such experiments deviated from the original Bechara *et al.* (1994) design, and once corrected for, psychopaths were significantly impaired on such tasks compared to controls.

penalties, leading to an overall net loss over a certain number of trials, whereas the other two have generally lower rewards, but also lower penalties, making a net gain possible. Psychopathic individuals persevere in choosing cards from losing decks, whereas non-psychopathic individuals show a marked decrease in choosing from such decks over the course of the experiment. Accepting that they adopt the ends set by the experiment, they fail to adopt the means that are necessary for the achievement of them.

Psychopathic individuals also appear to have more principled difficulties willing sufficient means to their ends. They are noted for not having any coherent life-plan, part of Cleckley's (1976) diagnostic criteria for psychopathy, and for having difficulties adopting specific, relatively long-term goals (Hare, 1993, p. 37):

Although psychopaths often claim to have specific goals, they show little understanding of the qualifications required—they have no idea how to achieve their goals and little or no chance of attaining them, given their track record and lack of sustained interest in education.

Psychopaths are not incapable of adopting means to ends as such. They are renowned for their successful manipulation of people, including parole boards and psychiatrists. It is therefore rather curious that they are constitutionally incapable of adopting and carrying out plans that affect the course of their lives in a pervasive and profound manner. Although they desire wealth, power, and success, they are unlikely to complete further education or develop a particular career or skill that will allow them to reach these ends. The *DSM-IV* diagnostic criteria for 'antisocial personality disorder' (ASP) meant to replace 'psychopathy' include 'impulsivity or failure to plan ahead' and 'consistent irresponsibility, as indicated by repeated failure to sustain consistent work behavior or honor financial obligations' (Black, 1999, p. 43).<sup>6</sup> It is unclear that it is long-term planning *per se* that is problematic, since psychopaths have problems with shorter-term intentions also. For instance, although many psychopaths work long and hard to get parole, they experience great difficulties keeping up crime-free behavior once released. The story of Jack Abbott is, apparently, far from unusual. He was put on bail through the efforts of Norman Mailer and others, but murdered a waiter, who asked him to leave a restaurant, shortly thereafter. He was immediately returned to jail.

There are reasons to think that a narrow attention span is responsible for many of the difficulties in decision-making experienced by psychopathic subjects. Their

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<sup>6</sup> It should be noted that many researchers do not believe that ASP captures psychopathy. Hare's psychopathy checklist was created specifically in order to capture what he thinks psychopathy is. In contradistinction to ASP, psychopathy includes personality-based diagnostic criteria (Hare, 1993). Practically speaking, many more individuals are diagnosed as having ASP than are diagnosed as being psychopathic. I therefore use evidence from ASP studies sparingly and only when it seems to me reasonable to suppose that the results would carry over to psychopathy.

inability to pursue long-term goals might be due to their inability to pay attention simultaneously to various factors. Consequently, they may have more of a tendency to get sucked into a situation. It used to be thought that psychopathic individuals fail to pay attention to a number of features of their actions that would make them undesirable because the immediate gain of performing such an action interferes with their ability to pay attention to other important events. However, David Kosson (1996) tested this hypothesis and found no evidence for it. Instead he found a significant narrowing of attention, leading to impaired functioning on dual-task tests. In displays where subjects are required to pay simultaneous attention to the motion of a number of different objects—some targets, other distracters—psychopaths were much more likely to mistake distracters for targets than controls. Psychopathic individuals have difficulties paying attention to several things at the same time, even when it is crucial for the successful performance of their actions. From the perspective of practical rationality, a significantly narrowed attention span is going to cause problems not just in willing necessary and sufficient means to ends, but also in the coordination of the various specific intentions required to carry out an underlying intention, and in the calculation of the compatibility of foreseeable consequences with the underlying intention. Such shortcomings are supported by reports of the performance of such individuals in real-life situations, e.g. Hare (1993, p. 77):

some psychopaths earned reputations for being fearless fighter pilots during World War II, staying on their targets like terriers on an ankle. Yet, these pilots often failed to keep track of such unexciting details as fuel supply, altitude, location, and the position of other planes.

In order to satisfy the underlying intention of shooting down enemy planes without getting shot down, other intentions must be adopted, i.e. intending to keep track of the location of enemy planes. The consequences of following enemy planes blindly must be considered, and so on.

Add to these deficits response reversal—the inhibition of previously rewarded responses that are now punished (Newman and Kosson, 1986; Blair *et al.*, 2001b)—and we see a significantly impaired decision-making profile. Despite appearances to the contrary, psychopathic individuals do appear to have impaired practical rationality.<sup>7</sup> It is important to note that this line of argument does not contrast with non-psychopathic individuals as having perfect practical rationality. It is a comparative analysis. Psychopathic individuals suffer from principled difficulties that non-psychopathic individuals do not. Compared to the normal population, they have impaired practical rationality. They have problems willing the necessary

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<sup>7</sup> Adolescent psychopaths (mean age  $\cong$  13 years of age) do not show impairments on standard reversal tasks, although they are impaired on the gambling task (Blair *et al.*, 2001b). It is possible that the frequency of punishment plays a role in adolescent's ability to reverse their responses; infrequent punishment leads to impaired learning.



and sufficient means to their ends, making sure that specific intentions are internally coherent and consistent with the underlying intention, and determining whether foreseeable outcomes of their actions are compatible with their ultimate aim.

### 3. The Moral Relevance of Practical Irrationality

It follows directly from the psychopath's deficient maxim-formation that he should have difficulties with consistent universalization. Quite simply, any inconsistency in the maxim carries over to the universalization of it. You cannot consistently universalize the inconsistent. But it seems that the deficits and idiosyncrasies of psychopathic thought reviewed above would impact both their moral understanding and their moral reasoning in particular situations. Psychopathic immorality might therefore have at least three different sources.

It might be thought that psychopaths have no conception of duty. If I understand her correctly, this is Jeanette Kennett's (2002) view. A conception of duty requires an understanding of ends and the reasons they generate, which psychopaths lack. If this is right, it seems that we need not concern ourselves with any of the other possible sources of immorality, since psychopaths lack a necessary condition for morality in the first place. However, I don't feel convinced the cognitive shortcomings of psychopaths justifies the conclusion that they have *no* conception of duty or morality. Instead the evidence supports the weaker claims that psychopaths have a *deficient* notion of duty along with a number of other morally relevant deficits.

Kennett (2002) rightly insists that if one has no conception of an end, one would not understand the various formulations of the categorical imperative. And since to have a conception of an end, one must have conceptions of means, etc. (e.g. (a)–(e)) if we keep with Kant's analyticity demand, psychopaths don't appear to have such a conception. But if we trace back the reasoning deficit in psychopaths to a combination of narrowed and shortened attention, impulsivity, and response-reversal deficits, it begins to seem less likely that psychopaths are incapable of conceiving of an end or a duty. To be sure, their reasoning indicates that their conception of an end is deficient. But sometimes our reasoning processes indicate that *we* have a deficient notion of an end or willing. And, for whatever reasons, such deficient reason is often due to difficulties changing our responses, paying attention, or blocking an impulse. The difference is that psychopaths experience these difficulties much more severely and chronically. This alone does not seem sufficient to deny them a notion of an end, since they might sometimes reason flawlessly. Their decision making is highly vulnerable to breakdown, but if the goal is exciting, the means for its attainment few and obvious, there are relatively few distractions, etc., we should expect psychopaths' reasoning abilities to be relatively good. This might explain why psychopaths tend to be good at pursuing certain goals in prison, but appear to have much greater difficulties when they get out. But there is more evidence that supports my interpretation.

Psychopathic speech (or writing) is often difficult to understand (Brinkley *et al.*, 1999). This appears to be the result of a mixture of low-level and high-level factors. Low-level factors include poor speech integration and cohesion (Williamson *et al.*, 1990; Brinkley *et al.*, 1999).<sup>8</sup> High-level factors include difficulties arranging thoughts so that they are consistent with an underlying idea or theme, maintaining a conversation on the same topic for an extended period, and answering questions effectively (Hare, 1993). At the moment, there is no *experimental* evidence for the high-level factors. The evidence comes from psychologists working with (primarily incarcerated) psychopaths. Nevertheless, the evidence is striking, and strongly suggests that psychopaths have difficulty organizing their thoughts into coherent wholes. Here's an example from Hare (1993, p. 125):

When asked if he had ever committed a violent offense, a man serving time for theft answered, 'No, but I once had to kill someone'. [...] A man serving a term for armed robbery replied to the testimony of an eyewitness, 'He's lying. I wasn't there. I should have blown his fucking head off'.

The problem here doesn't seem to be that the psychopaths don't understand 'violent offense' or 'being somewhere'. There is a breakdown in consistent narration. Whether this is an effect of poor attention, poor impulse control, or something else, it does suggest that psychopaths do not have conceptual deficits but more general problems with consistency.

It should now be clearer why I think that the sort of difficulties with consistent thought and action that psychopaths have does not support the stronger claim that it is impossible that they have *some* conception of duty. Is it, for instance, impossible to persuade a psychopath of the impermissibility of false promising or of treating others merely as means to our ends?<sup>9</sup> Perhaps it is—perhaps they really can't be dissuaded from the idea that their ends are more important than other people's ends (Hare, 1993). On the other hand, they may be made to see how some duties are necessary for the successful attainment of their ends. After all, the evidence suggests that psychopathic individuals do not tend to be especially successful measured by career, personal relationships, creative output, or wealth.<sup>10</sup>

<sup>8</sup> Psychopaths also process emotional language abnormally; they show lack of facilitation for emotion words (Williamson *et al.*, 1991; Intrator *et al.*, 1997) and their classification of emotion words is less likely than controls to be polarized. They process language bilaterally—as opposed to in the left cerebral hemisphere—which might cause some of the difficulties in language comprehension and production (Hare, 1993; Hare and Jutai, 1988; Raine *et al.*, 1990).

<sup>9</sup> Thanks to an anonymous reviewer for bringing this issue to my attention.

<sup>10</sup> But, as Shaun Nichols has pointed out to me, it should be considered that most of the evidence concerning psychopaths is collected in prison environments. Until more evidence is collected, we cannot rule out the possibility that there are many successful white-collar psychopaths. Given the number of psychopaths who end up having brushes with the law, I expect that it would be misleading to think of psychopaths in general as moral egoists.

Consequently, the evidence suggests that it could be rather difficult to make a psychopath see what his duty is, not that it is impossible to do so.

Making psychopaths see their duty is far from sufficient for making them morally competent. For their various deficits will make them unlikely to *apply* such notions of duty with any frequency. If you have difficulties with consistent maxim formation, you will have difficulties with consistently universalizing such maxims. And the impairments underlying this problem—narrowed attention, impulsivity, and response-reversal deficits—spell difficulties for the success of moral reasoning ‘in the field’ as well. But the extreme egocentricity of psychopaths should cause difficulties as well. To universalize appropriately, one must determine what situations are relevantly similar to the one that one is in. Only then is it possible to figure out whether one can consistently will that anyone in such situations intends to act as one does. As a rule of thumb, the fact that you are you is not a morally relevant difference. Willing that anyone who is Mary Bloggs takes the train without paying, flouts considerations of relevant differences. On the other hand, if you are a soldier or an executioner, you may kill another human being, but not if you are an artist or a gravedigger, other than in self-defense. Social positions are sometimes morally relevant. Poor self-understanding is apt to interfere with determination of relevant differences, again leading to morally impermissible intentions and actions.

Psychopaths have a grossly inflated notion of their abilities, intelligence, entitlements and worth. In fact, grandiosity and egocentricity are part of the diagnostic criteria for the disorder (PCL-R, Hare, 1991). They sometimes make reference to their superiority to others in defense of their lawlessness (cf. Hare, 1993). The most curious thing is that this default idea of their excellence and intelligence is impervious to counter-evidence that most others would consider fairly conclusive, e.g. persistent failure to get any significant education or pursue a career, constant brushes with the law, and so on. Belief perseverance is an interesting phenomenon, and non-psychopathological populations engage in a fair bit of it (Ross and Nisbett, 1991). Nevertheless, the sort of perseverance found in psychopaths with regard to their own self-image is out of the ordinary and does seem to reflect a failure of rational belief formation and maintenance.<sup>11</sup>

It is easy to imagine the sorts of difficulties mistaken beliefs about one’s own capacities can give rise to. An inflated view of self might lead one to perform actions that one could not consistently will that others perform. Psychopaths may not act the way they do because they think that being them is morally significant, but because their supposed excellence and superiority is. It is important to note that

<sup>11</sup> There is some evidence that having a slightly inflated sense of self is beneficial both to success in one’s career and to one’s overall well-being. However, psychopaths have a greatly inflated sense of self that often leads them to engage in activities that are ultimately harmful to themselves. Black (1999) reports that people with ASP are twice as likely as people without the condition to be injured by accident, and are more likely to die early from disease (including HIV), violence, or accidents.

an inflated view of self can also lead to immediate difficulties for oneself. Hare (1993) reports of a psychopath who, dissatisfied with his sentence, decides that he can do better than his lawyer. He handles the appeal himself, with the result that a year is added to his sentence.

Arguing as I have done so far has at least one implication that some might find unappealing. Psychopaths may sometimes act morally. It is therefore somewhat misleading to call them amoral, since it is not true that they are completely devoid of moral capacity. However, what I have indicated is that their moral capacity is *severely impaired*. There are so many places in moral deliberation where things might go wrong for a psychopath that true moral acts on their part might be relatively rare. I don't see that this is inconsistent with the data. All that shows is that psychopaths are far more immoral than people generally. If I'm right, their immorality should co-vary with the severity of their attention deficit, their impulse control problems, and their response-reversal impairment.

#### 4. Children and the Moral Cure

Two powerful reasons remain to think that deficits in practical reason are not the cause of psychopathic immorality (cf. Nichols, 2002a). First, children as young as 4 years of age (Smetana and Braeges, 1990), including children with Downs Syndrome, draw a distinction between moral and conventional norms.<sup>12</sup> Since the former have a rather undeveloped reason and the latter low IQ, this rather speaks against the idea that moral understanding is the result of rational processes. Second, psychopathy appears to be incurable. Programs aimed to treat criminals don't seem to work on psychopaths. But if psychopaths' antisocial and immoral behavior is at least partly due to their irrationality, why don't they respond to treatment? Below, I show why these are not good reasons to reject rationalism, and in the next section I provide more positive reasons to think that rational deficits are at the core of psychopathic immorality.

The moral-conventional distinction tracks the status of different kinds of norms—generally social and moral norms. Moral norms generally concern the welfare and rights of individuals, and conventional norms relate to the regulation and coordination of actions (say, driving on the right side of the road). The difference between such norms comes out most clearly in judgments concerning violations. Moral transgressions are judged to be more serious, less permissible, and less subject to authority than social norms (the wrongness of certain forms of action cannot be altered by edict) (Turiel, 1983). The fact that young children and

<sup>12</sup> The distinction begins to emerge at 2 years and 10 months, where children judge moral transgressions as being more generalizably wrong across contexts than conventional ones. Authority contingency and seriousness emerge later at 4 years of age, and differential judging of permissibility peaks at 34 months, but disappears at 42 months (Smetana and Braeges, 1990).

children with low or impaired intelligence draw the moral-conventional distinction presents a problem for rationalist ethics only if the following conditional is accepted: if you draw the moral-conventional distinction, you have (some) moral competence. If this conditional is true, and children with undeveloped or impaired practical reason draw the distinction, rationalists have some explaining to do.

On reflection, however, there are a couple of responses open to the rationalist. First, rationalism is not friendly to the moral-conventional distinction. It seems that many of the psychologist's conventional norms are, in fact, commands of reason.<sup>13</sup> Let's say that it is a convention of the theatre and concert hall for everyone to remain seated until the applause is over and I decide to skip out before, so that I can get to my car quicker. The execution of my plan requires that almost everyone but me follow the convention, consequently I cannot without contradiction will to execute my plan. This appears to be a conventional norm, and yet a rationalist would hold transgressions of it to be just as impermissible and serious as transgressions of moral norms. As for authority dependence, an authority could never licence just me to break the norm. She might, of course, abolish the norm entirely. But here again it is ultimately reason that determines the permissibility of actions. Authority can only dictate norms to the extent that reason can. There is therefore nothing special about an authority figure as such. If we cannot will a world where people drive on whichever side of the road they please, what the Minister of Transportation says is irrelevant to the permissibility of doing so.

If drawing the moral-conventional distinction does not track the moral law—if at best it is irrelevant to it, at worst in conflict with it—data that young children draw the distinction do not threaten rationalism. However, even if the moral-conventional distinction tells us something about moral understanding, it is clearly not sufficient for moral understanding. Firstly, norms concerning what is disgusting or offensive give rise to judgments concerning seriousness etc. that are similar to the judgments to which moral norms give rise (Haidt *et al.*, 1993). It is therefore more appropriate to regard the distinction as being between affect-backed norms and other norms (not backed by affect) (Nichols, 2002b). So, to distinguish moral norms from other affect-backed norms, Nichols (2002b) argues that moral norms have both an affective component and a normative theoretical one. A rationalist need not deny that some norms are connected with affect for the population at large. What she should resist, however, is the suggestion that the ability to connect norms with affect is either necessary or sufficient for moral competence. It is not hard to argue that being able to draw the distinction is not sufficient for moral understanding because the ability is not connected with the right sorts of justifications. Even philosophers who aren't rationalists, e.g. virtue ethicists, deny that children have the requisite understanding for moral competence (e.g. Hursthouse,

<sup>13</sup> Thanks to the (anonymous) reviewer who suggested this line of response.

1999). Secondly, the fact that children draw it and psychopaths don't is not sufficient to show that this ability is necessary for such competence.<sup>14</sup>

If you agree that evidence from competence with the moral-conventional distinction is insufficient against rationalism, you might nevertheless agree with Nichols (2002b) that the absence of a cure for psychopathy strongly indicates that their deficits are not of a rational nature. We all know that we can be more or less rational given time, attention, and information. If so, why can't psychopaths learn to be more rational? Why can't we scaffold a cure out of their functioning rationality?

The first important point is that there are relatively few data on the treatment of psychopaths. One of the most thorough treatment studies showed improvement with nonpsychopathic offenders—often individuals suffering from other psychological disorders, e.g. schizophrenia—but increased recidivism on the part of psychopathic inmates (Rice and Harris, 1992). But few treatment methods aim at treating psychopathy specifically (Reid and Gacono, 2000). Some success has been found in reducing criminal recidivism in people with ASP, and it is notable that these programs stress, among other things, absolute 'consistency [and] intolerance for rule-breaking' (Reid and Gacono, 2000, p. 652). It is therefore not clear that the current pessimism about *some* treatment of psychopathy is justified. Most of the pessimism seems to rely on the fact that what works with other criminal groups, doesn't work with psychopaths. But if psychopaths suffer from specific cognitive deficits—in addition to emotional deficits—this shouldn't come as a great surprise.

Can the sorts of deficits in practical reason that I have outlined above be treated? This is surely an empirical question. One might expect certain difficulties. How, for instance, does one make a narrow attention span broader? As indicated above, this narrow attention span is likely to be at the center of the various rational shortcomings of psychopathic individuals. Other malfunctions, e.g. laying down new memories that track altered patterns of rewards and punishments, may turn out to be equally incurable and equally necessary for a well-functioning practical reason. It is notable that adolescents with psychopathic tendencies do not yet experience response-reversal deficits, wherefore successful treatment may be contingent on relatively early treatment (Blair *et al.*, 2001b). The condition may also be so unresponsive to treatment because psychopaths have a significantly inflated view

<sup>14</sup> The moral-conventional distinction is connected with a theory about morality and moral competence, according to which welfare and justice are central to moral norms. And, as we have seen, psychopaths make fewer welfare justifications than controls (Blair, 1995). But whereas this indicates that they have a different understanding of morality, it clearly does not show that they haven't got any. Another complication is that children with psychopathic tendencies do not make significantly fewer references to subjects' welfare than controls (Blair *et al.*, 1997). In the study, these children made *fewer* references to guilt and sympathy (on average at most half as many), but they were clearly not incapable of doing so. Perhaps the children that *did* make such references won't grow up to be psychopaths, but more evidence is needed at this point to support the necessity claim.

of themselves and their abilities. Their view of themselves is remarkably unresponsive to counterevidence (e.g. Hare, 1993). They also have an entrenched attributional style in which blame and negative qualities are attributed to the people around them, not to themselves. Together, these features are likely to make the disorder very hard, if not impossible, to treat.

## 5. Emotion in Reason?

One problem with the above is that some of the research that I have used has been used to show the pervasive involvement of the emotions in reasoning of all kinds. Antonio Damasio (1994), for instance, argues that emotion plays an essential role in *practical rationality*. He is known for his work with patients with damage to their orbitofrontal cortex, the most prominent effects of which are flat affect, an inability to act appropriately socially, and difficulties making good decisions as evidenced by their poor performance on the gambling task (cf. above). Since they perform within the norm at standard IQ tests, Damasio suggests that their bad decision-making skills are due to their emotional deficit. One of the functions of emotions is to limit the space of options that a subject will consider when deliberating. Through experience representations of events come to be associated with emotions—they become somatically marked. Tokening these representations in the future induces either positive or negative affect, thereby disposing the subject positively or negatively towards the events represented in the decision making process. According to Damasio, frontal lobe patients have a damaged somatic marker system, with the result of not having their options limited in the way that normal subjects have.

There are interesting similarities between patients with damage to their frontal lobes and psychopaths—Anderson *et al.* (1999) found that people who sustain injury to areas of the prefrontal cortex early in life have a behavioral and emotional profile almost indistinguishable from psychopathic subjects. Both suffer from emotional impairments and impaired practical reason. If Damasio is right, however, it is quite possible that the deficits in practical rationality discussed above are ultimately due to emotional deficits. We then seem to be back to where we started, with the case of psychopathy supporting sentimentalism over rationalism.

The first problem with using Damasio to show that the deficits in psychopathic reason have their origin in emotional deficits is that not *any* data indicating that emotions are involved in moral judgment support sentimentalism. On the Damasio interpretation, psychopaths are amoral because their emotional deficits give rise to practical reasoning deficits. But, on a sentimentalist view, a moral judgment just is the expression of an emotion, wherefore a moral deficit should express itself *directly* through deficient moral emotions, not indirectly through impaired practical reason. On a Damasian view, *any* emotional impairment could give rise to a moral impairment through deficient somatic marking of representations. For a sentimentalist, a moral deficiency should be due to deficient *moral* emotions. If moral competence is due to the role of emotions in instrumental reasoning, this *does*

support the idea that emotions play a role in moral judgment, but not sentimentalism. Sentimentalism isn't supported by just any view that holds that emotions play a role in moral judgment; emotions have to play the right kind of role. And on a Damasian interpretation, it is *via* impaired practical reason that psychopathic amorality manifests itself as opposed to in direct response to deficient emotion.

But even if you accept Damasio's analysis of the problem with frontal lobe patients, there are difficulties adapting his theory to psychopathy. The decision making deficit in psychopaths does not seem to be due to a somatic marker impairment. Blair *et al.* (2001b) argue that psychopaths do show autonomic arousal to emotionally arousing stimuli as long as such stimuli aren't expressions of sadness or fear. Somatic marker system dysfunction, however, should result in general dysfunction of autonomic responses to typical emotion inducing stimuli. Even assuming that Damasio is right about somatic marker dysfunction being responsible for some attention difficulties, it is not easy to see how this can account for the range of psychopathic attention deficits. Psychopaths perform very poorly on dual-task tests, where they are required to pay attention to the movement of several objects. Their problem is an *excessive* narrowing of attention which contrasts with frontal lobe patients' difficulties in narrowing down their space of options. In other words, many of their attention problems are *opposite* to the problems experienced by frontal lobe patients. If limiting the space of options is due to somatic markers, we should predict that psychopaths have an overly active somatic marker system. But an overly active somatic marker system should be the result of overly active emotions, *contrary* to the evidence (in fact, contrary to the diagnostic criteria for the disorder).

Perhaps reason and emotion are more intimately linked than is traditionally allowed. If they are, this might well require *both* rationalists and sentimentalists to modify their moral theories. And perhaps work on psychopathic irrationality might help pave the way. But for the time being, I know of no theory of practical reason that will allow us to reduce psychopathic practical irrationality to an emotional impairment.

## 6. A Picture of Practical Irrationality

According to rationalism in ethics, if you are rational your decision-making will be constrained by different demands of consistency, *and* by considerations of the universal applicability of your underlying intentions and consideration for others as having intrinsic value. Stated like this, the thesis is rather abstract. Looking at a case in which morality has gone awry helps us narrow down specific cognitive structures that are involved in practical rationality and affect moral competence. Let me recapitulate.

When deciding what to do, one must have in mind the end that is to be achieved and determine what means to deploy to further that end. If, for instance, one's aim is to get a driver's license, one must study for it, take a written test, practice driving, and so on. A number of specific intentions must be entertained—for



example, to pass the written test—and carried out satisfactorily. One must be able to determine what means are necessary, which are sufficient, and what means are available. In some cases, such evaluations are straightforward; when, for instance, the necessary and sufficient means are the *only* means available. At other times, one must simultaneously consider various means, evaluate their suitability and efficiency in achieving the end compatible with other possible means that must be adopted.

Psychopaths have a narrowed attention span. Consequently, they experience difficulties making the right decisions given their aims, the structure of the situation, and so on, when it requires coordinating many factors. They lose sight of the end, some means, or undesirable but foreseeable consequences, and are consequently incapable of making rational decisions. They may, for instance, choose a short-term goal that ultimately conflicts with a longer-term goal, as in the gambling task. Their difficulties in maintaining a consistent story line is an instance of their difficulties keeping track of how available means relate to their ends. The point that they are trying to get across is lost in perpetually changing topics. This kind of narrowed attention is likely to spill over into other areas of decision-making, e.g. comparing the foreseeable consequences of a course of action with one's underlying intention compared to the desirability of the action and other available means. Difficulties with sustained attention over longer periods and impulsivity are likely to add to the difficulties posed by a narrow attention. Presumably, impulsivity consists partly in lack of deliberation. A course of action will present itself as desirable and will be acted on without considering its relation to other projects or, indeed, its direct consequences. Poor attention and impulsivity will make it very difficult to plan ahead.

We often use our own abilities and skills as means to our ends—e.g. I use my math skills to budget my income. Choosing efficient and appropriate means to one's end therefore often requires a relatively accurate assessment of one's abilities. If you are considering how to get to campus in 10 minutes, running might not be the best idea if it is more than a mile away and you are overweight, in bad shape, a heavy smoker, have bad knees, or any combination thereof. Psychopaths, however, are poor at creating a realistic picture of their own abilities. They will therefore experience particular difficulties when they propose to use such abilities as means to their ends. An intact ability to assess oneself and one's abilities is part of practical rationality.

Practical rationality involves not just a realistic assessment of yourself, but also of your changing environment. When things change, you need to be able to adapt. Some means that previously would further an end of yours may no longer do so. In that case you must inhibit any response to engage in actions of that kind and figure out what other actions are going to further your end. Compared to controls, psychopaths are impaired in this ability. In psychological terms, they have response reversal deficits.

Psychopathic impairments to practical reason is not due to a chronic inability to choose sufficient or necessary means to ends, but due to impairments in attention width and span, impulsivity, deficient self-understanding, and difficulties adjusting

their responses. A prediction of this theory would be that the more complex a process of practical reason is, the worse psychopaths will do. The fewer options, the less distractions, and so on, the better they should do.

Before concluding, a caveat: most research pertains specifically to male psychopaths. This paper uses almost exclusively such evidence. The reason is that many more men are diagnosed as psychopaths than women. It is not clear whether it is a disorder that preponderantly affects males or whether the diagnostic criteria (in particular Hare's PCL-R) are inadequate for picking out female psychopaths (as argued by Jackson *et al.*, 2002). This gender difference is found in most syndromes of disinhibition, including antisocial personality disorder, where females are 2–8 times less likely to meet such diagnostic criteria (Black, 1999, p. 28).

There is some evidence of gender differences in the psychopathic population. Due to a variety of factors, including small sample sizes, limited parameters of study, and so on, the evidence is inconclusive so far. One study found that callousness, lack of remorse and empathy are more prominent features of the female population than the male (Jackson *et al.*, 2002). An earlier European study, however, found that whereas male psychopaths scored higher on measures of callousness/lack of empathy and juvenile delinquency, female psychopaths scored higher on promiscuous sexual behavior (Grann, 2000). Yet another study found that female psychopaths exhibit the same low level of emotional reactivity to visually presented unpleasant stimuli as men. Vitale *et al.* (2002) found interactions between anxiety, negative affectivity, intelligence and psychopathy in females that are not found in males. Sutton *et al.* (2002) report that, as opposed to male psychopaths, there is no evidence of response reversal deficits in female psychopaths (inhibiting previously rewarded responses). However, although female psychopaths appear to have less difficulty with self-regulation, they still demonstrate cognitive deficits affecting their practical reasoning abilities (e.g. Siegel, 1999).

As is clear from the above, the data on female psychopathy is inconclusive. There is some indication that an underlying element in all psychopathic populations is their abnormal emotional responses. However, the reasoning skill of psychopathic women is under-investigated. Should it turn out that female psychopaths suffer from none of the cognitive shortcomings focused on in this paper, my theory is in trouble. Unless it can be shown that the etiology underlying female and male psychopathy are different and a satisfactory explanation of the peculiarities of female psychopathy within a rationalist ethics can be provided, rationalism is left with the same problem it was presented as having in the beginning of this paper. However, as it stands data from psychopathy do not support sentimentalism over rationalism. They do, however, help shed light on the psychological processes and abilities that form part of what (some) rationalists think of as practical rationality.

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