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The Thin Moral Concept of Evil

Abstract: Evil-scepticism comes in two varieties: one variety is descriptive, where it is claimed that the concept of evil does not successfully denote anything in the world; the other variety is normative, where it is claimed that the concept of evil is not a helpful or useful concept to be employing in either our social or interpersonal lives. This paper argues that evil-scepticism can be responded to by understanding the concept of evil as a thin moral concept. Understood in this thin way, the descriptive challenge fades, because the concept of evil does not even purport to denote anything in the world (it is purely evaluative), and so does the normative argument, since the thinness of the concept means that, first, it is ineliminable anyway, and, second, its malleability allows for it to be used for progressive and constructive means.

Keywords: evil, evil-scepticism, evil-revivalism, thick concepts, conceptual engineering, capital punishment, remorse

The idea that the concept of evil should be eliminated from our moral vocabulary – what is sometimes called 'evil-scepticism'[1] – seems to be partly reliant on the thought that the concept comes with too much baggage. It comes weighed

[1] Luke Russell, "Evil-Revivalism Versus Evil-Skepticism", *Journal of Value Inquiry* 40 (2006): 89–105.

down with a history steeped in a supernatural, religious past; with a host of connotations that put us in mind of fictional wicked witches and criminal masterminds; and with a tendency to be used as cheap propaganda to justify war and to justify intolerance. It has seemed to many to be a concept which does not just fail to refer to anything in our secular world,[2] but also one which we are better off without in any case.[3]

One response to this would be to *conceptually engineer* the concept; to tidy it up in various ways so that it is presentable for modern secular thought. This, I take it, is one way of reading the recent interest in so-called 'evil-revivalism'.[4] As Adam Morton put it, with "some shifts of the imagination" perhaps we can come to get "a better hold on our own and other people's potentialities for evil".[5]

An alternative response, and the one that I want to discuss in this paper, would be to argue that there is a perfectly good minimal concept already in use beneath the extraneous baggage. We might put this in terms of saying that the concept of evil is a *thin* moral concept, rather than a *thick* moral concept.[6] It is a concept that is almost wholly evaluative and contains very little descriptive content. According to the argument I shall put forward here, understanding EVIL[7] as a thin moral concept does not just allow us to make sense of evil within a range of different contexts, it also allows us to identify useful connections with other evaluative concepts – including human (or natural) rights, punishment, remorse, resentment and forgiveness – which in turn helps orient and contextualise our responses to the worst kinds of actions. According to the view put forward here, a commitment to devils and demons is an artifact

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[2] Phillip Cole, *The Myth of Evil* (Edinburgh: Edinburgh University Press, 2006); James L. Knoll, "The Recurrence of an Illusion: The Concept of 'Evil' in Forensic Psychiatry", *Journal of American Academy of Psychiatry Law* 23 (2008): 105–116.

[3] Simon Baron-Cohen, *Zero Degrees of Empathy: A New Theory of Human Cruelty and Kindness* (London: Penguin, 2012).

[4] Todd Calder, "The Concept of Evil", in: *The Stanford Encyclopedia of Philosophy* (Summer 2020 Edition), ed. Edward N. Zalta, 2018, https://plato.stanford.edu/archives/sum2020/entries/concept-evil/.

[5] Adam Morton, *On Evil* (London: Routledge, 2004), 3.

[6] Bernard Williams, *Ethics and the Limits of Philosophy* (Cambridge, MA: Harvard University Press, 1985).

[7] When referring to a concept (as opposed to using or mentioning a word), I shall follow convention and use capital letters.

of a worldview that believes in such things, rather than of the evaluative concepts that might be applied within that worldview; if you place an extreme thin moral concept such as evil in such a context, then it is not surprising if it tends to latch on to the forces of the devil for its application. Take it out of that context, and it will latch on to something else.

The outline for this paper is as follows. First, I shall set out the background to the discussion by reviewing some key aspects of the arguments for evil-scepticism. Second, I shall outline how a thin moral concept of evil responds to those arguments for evil-scepticism. Finally, I shall argue that for a conceptual connection between evil and punishment.

1. The arguments for evil-scepticism

There are two types of scepticism about the concept of evil: first, a sceptic might argue that the term lacks a *denotation*. This is an error-theory approach to 'evil', which says that we have a concept of evil that is in perfectly good standing but there is nothing in existence in the actual world that corresponds to that concept.

The second type of scepticism would be to say that the *concept itself* is faulty. This might be because the concept is confused in some way, or it might be because the concept is normatively problematic in some way. In the first case, perhaps it houses some hidden contradiction (e.g., the idea that an evil entity necessarily *desires the bad* might turn out to be confused on conceptual grounds because, it might be argued, intentional action constitutively involves *desiring the good*). In the second case, perhaps one might argue (as we shall consider below) that 'evil' is too easily weaponised and for that reason we would be better off without it.

In this section, I want to discuss four arguments that have been put forward to argue for scepticism about 'evil'. The first two arguments – (a) The argument from supernaturalness and (b) The argument from psychological implausibility – assert that the concept lacks a denotation. The second two arguments – (c) that 'evil' is non-explanatory; and (d) that 'evil' is counter-productive – assert that the concept itself is faulty. Having reviewed the arguments, I shall then go on to argue in Section 2 that these arguments fail to convince, since 'evil' is best

seen as 'thin' moral term that carries very little information about the nature of the act or intention in question, other than to place it at an extreme. As such, it is, I shall argue, effectively ineliminable. In Section 3, I shall argue that, even though 'evil' is a thin moral term, it nevertheless can be seen to have a place within a moral framework which connects evil with punishment.

1.1. Evil as a supernatural force

Regarding the narrow sense of the term, the OED defines the adjectival use of 'evil' as meaning "[m]orally depraved, bad, wicked, vicious" and "[d]oing or tending to do harm; hurtful, mischievous, prejudicial". As a noun: "The adjective used *absol*. That which is evil". It is the latter I want to focus on here. The idea that evil is a supernatural force or energy, that can occupy people or places, entails that evil is a substance or thing. This is the sense in which it is often used in fiction or in religious imagery. This other-worldly force might be thought as a demonic energy, or it might take on a more personified image, as with the devil.[8]

According to our first argument for evil-scepticism, then, 'evil' refers to this supernatural force, but, since this force does not actually exist (at least on a standard, secular understanding of the world), then evil should be regarded as mythical. For this argument to work, a case has to be made that the concept of evil does indeed refer to such a force. And, for the evil-sceptic, this does not seem implausible. The concept of 'evil', the evil-sceptic argues, is liable to latch on to what Charles Taylor calls a 'pre-modern outlook': a "world of spirits, demons and moral forces".[9] Given that such an outlook was not just one option among many but an all-pervasive world view[10] and given further that the concept of supernatural forces of devilish 'evil' had a central place in such a worldview,[11] it seems plausible to suppose that the concept of 'evil' has its natural home in such an outlook. Such a view is further supported by the

[8] Darren Oldridge, *The Devil: A Very Short Introduction* (Oxford: Oxford University Press, 2012).

[9] Charles Taylor, *A Secular Age* (Cambridge, MA: Belnap Press, 2007), 26.

[10] Ibidem.

[11] Keith Thomas, *Religion and the Decline of Magic* (Reading: Peregrine Books, 1971).

observation that use of the term 'evil' declined from the seventeenth century[12] in a chronology that parallels the decline in belief in magic and the supernatural in general.[13]

1.2. Evil and psychological implausibility

The second argument for evil-scepticism focuses on the adjectival use of 'evil'. The claim here is that in its adjectival usage, 'evil' primarily describes a distinctive *psychological profile*. The qualities possessed by the evil person are, on this view, composed of ordinary mental states, albeit combined in an unusually toxic mix. David Hume describes such a character as follows:

> A creature, absolutely malicious and spiteful, were there any such in nature, must be worse than indifferent to the images of vice and virtue. All his sentiments must be inverted, and directly opposite to those which prevail in the human species. Whatever contributes to the good of mankind as it crosses the constant bent of wishes and desires, must produce uneasiness and disapprobation; and, on the contrary, whatever is the source of disorder and misery in society, must, for the same reason, be regarded with pleasure and complacency.[14]

The kind of person being described here has a twisted value system. Their failure is not a failure of knowledge or rationality; rather, it is simply an inversion of motivation: to desire the evil and abhor the good.[15] Note that the fact that their evil temperament does not stem from a breakdown in sanity or a lack of knowledge about what they are doing is central to the claim being made. Such breakdowns would be mitigating factors, and so would detract from the extremity being described. The character being described is irredeemable.

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[12] Antonia Ruffell, "Kakology: A Study of Some Evils", in: *Evil: A History*, ed. Andrew Chignell (New York: Oxford University Press, 2019), 43–49.

[13] Thomas, *Religion and the Decline of Magic*.

[14] David Hume, "An Enquiry Concerning the Principle of Morals" (1751), in: *Enquiries concerning Human Understanding and concerning the Principles of Morals*, ed. L. A. Selby-Bigge, 3rd ed. revised by Peter H. Nidditch (Oxford: Clarendon Press, 1975), 226.

[15] Peter Brian Barry calls this the *Mirror Thesis* of evil: that an evil person is the direct inversion of a 'perfectly virtuous' moral saint. See Peter Brian Barry, *Evil and Moral Psychology* (New York: Routledge, 2013), 67–69.

The irremediability in question might be quite complex. It might run along any or all of three dimensions: (a) they have *malicious* aims, rather than merely selfish aims; (b) the malicious aims are *not mixed* with positive or altruistic aims; (c) the malicious aims are *embedded in their character*, such that they are not a temporary aberration, but are part of a long-standing pattern of motivation which the agent embraces as part of their character.

The second argument for evil-scepticism, then, states that for someone to be evil they must have an irredeemably twisted psychological profile and agrees with Hume that in actuality "[a]bsolute, unprovoked, disinterested malice has never perhaps any place in the human heart".[16] Even within the psychology of the worst offenders, malicious motivations sit side-by-side with positive ones.

Thus, as with the first argument, we again have an *error theory*: evil denotes an extreme psychological quality or profile, but such a quality or profile does not exist outside of fiction and myth.

1.3. 'Evil' is non-explanatory

The third argument for evil-scepticism is the claim that 'evil' is used merely to express a strong form of disapprobation, and contains no substantial descriptive content. Phillip Cole, for instance, observes, "[i]f we submit the Devil to any detailed examination to try to understand why he afflicts humanity, 'because he is evil', paradoxically, fails spectacularly to explain anything about him and his motivations".[17]

What underpins this argument is an assumption about the role the concept *should* play in our inquiries. For Cole, the aim is to determine whether the concept can "play any constructive or useful role in *explaining human action*"[18] (emphasis added) given a broadly secular, non-supernatural context.[19] Presumably,

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[16] Hume, "An Enquiry Concerning the Principle of Morals", 227.

[17] Cole, *The Myth of Evil*, 19.

[18] Ibidem, 18.

[19] Eve Garrard has slightly more expansive role: "an adequate account of what evil is would show why certain acts are to be characterised together under that heading; why we respond as we do to them; and (at least to some extent) why the agent performed that action" (Eve Garrard, "Does the Term 'Evil' Have any Explanatory Power?", in: *The Routledge Handbook of the Philosophy of Evil*, ed. Thomas Nye and Stephen de Wijze (London: Routledge, 2019), 190). Stephen de Wijze

what Cole has in mind here is that for 'evil' to earn its theoretical keep it must pick out a property that enjoys some independent causal efficacy in the generation of acts that we would tend to label as 'evil'. And this leads to a dilemma: either the concept picks out a distinctive psychological profile (in which case the behaviour of the evil-doer is better explained by way of that psychological profile), or it does not (in which case the behaviour of the evil-doer is better explained by way of some other explanation – be it psychological, neurological or sociological – which does not correspond with the concept of 'evil'); either way, the argument runs, the concept of 'evil' is explanatorily idle, and does no real theoretical work.

1.4. Evil is counter-productive

The fourth argument for evil-scepticism is that 'evil' tends to stoke conflict, hysteria and intolerance. That is to say, it is not just non-explanatory in a theoretical setting but is also *counter-productive* in a practical, societal setting. It is often used by politicians to justify aggressive policies or by an exploitative media to rouse emotions among a paying public. Darren Oldridge notes how the "similarities between the 'war on terror' and earlier campaigns against satanic witchcraft" are fuelled by "a myth of pure evil [in which] terrorists pose a purely evil threat to Western values",[20] while Wilson and Huff[21] found that belief in an active Satan correlated strongly with intolerance towards homosexuality and racial minorities. The result is intolerance, not just towards those who are labelled 'evil', but also to those who want to try to understand the causes behind the acts of evil. According to this argument, the concept is used simply to demonise people.

takes the 'non-explanatory' claim in a slightly different way. For him the concern is that 'evil' does not provide anything more than would be achieved by saying something is 'very bad' (Stephen de Wijze, "Defining the Concept of Evil: Insights from our Pre-Cognitive Responses", in: *The Routledge Handbook of the Philosophy of Evil*, ed. Thomas Nye and Stephen de Wijze (London: Routledge, 2019)).

[20] Oldridge, *The Devil: A Very Short Introduction*, 97.

[21] Keith M. Wilson, Jennifer Huff, "Scaling Satan", *The Journal of Psychology Interdisciplinary and Applied* 135(3) (2001): 292–300.

2. The thin concept of evil

We have outlined four arguments that have been put forward in favour of evil-scepticism. I now want to argue that the arguments fail for two reasons: first, even if we allow that our concept of evil has a thick profile, there is (I shall argue) a thin profile at its core that would remain even if we were to shed the thicker, descriptive aspects of the concept. In this respect, EVIL is effectively ineliminable: if, at its core, it is simply a concept that categorises those things (acts, events, persons) which lie at the negative extreme of moral evaluations, then it would make as much sense to eliminate EVIL as it would to eliminate any other conceptual superlative. Second, the thin conceptual profile of EVIL provides some leeway for conceptually engineering its more variable thicker components. There are various ways in which this might be done, and I shall suggest that the most effective way is not to draw more descriptive elements into the concept, but to connect the concept more effectively within a 'moral nexus' of which it is naturally suited and is already a part.

2.1. The descriptive challenges to the concept of evil

According to the first two arguments given in Section 1, EVIL is a thick moral concept. A moral concept is *thick* if it has a substantial degree of both evaluative and descriptive content, and it is *thin* if it has evaluative, but no (or very little) descriptive content.[22] Concepts such as COURAGEOUS, MEAN, SELFISH and KIND are thick concepts – they tell us something factual about the action or about the psychology or motivation of the person carrying out the action; while concepts such as RIGHT, WRONG, GOOD and BAD are thin concepts – they tell us comparatively little, if anything at all, about the nature of the action or about the psychology or motivation of the person carrying out the action; they are almost wholly evaluative.

Luke Russell[23] has argued that EVIL is a *psychologically* thin moral concept. He thinks that calling an action 'evil' tells us very little about the psy-

[22] Williams, *Ethics and the Limits of Philosophy*; Simon Kirchin, *Thick Concepts* (Oxford: Oxford University Press, 2013).

[23] Luke Russell, *Evil: A Philosophical Investigation* (Oxford: Oxford University Press, 2014).

chology or motivations of the person carrying out the action beyond the fact that they are culpable of an extreme wrong. If Russell is correct, then this undermines a key plank of the evil-sceptic's arguments, since the Argument from Supernaturalness and the Argument from Psychological Implausibility both assume a psychologically thick concept of evil: in the former case it carries a descriptive reference to a demonic spirit, in the latter it carries a descriptive reference to a distinctive psychological profile.

The gist of Russell's objection to psychologically thick accounts is that they clash with our strongly held intuitions or folk theories, either by ascribing 'evil' to what we would ordinarily deem to be a non-evil action, or by not ascribing 'evil' to what we would ordinarily deem to be an evil action. For instance, a theory which assumes that evil can only be carried out by a Humean malicious monster, would seem to classify any act that was carried out for instrumental ends, rather than out of pure malice, as not evil. The act could be as heinous as you like – murder or the torture of an innocent – but if it were carried out through gritted teeth for an instrumental end, it would not, on such a theory, be classified as evil. And that would seem to go directly against our intuitions about what evil is.

A thin concept of evil has the advantage of having wide coverage. A psychologically thin concept does not, at the outset, make any assumptions about the perpetrator of the act, beyond the fact that they are culpable of the act. This allows for, in principle at least, a wide range of motives and psychological profiles. A thin concept *tout court* would have wider coverage still and would not even make any assumptions about the types of acts or the degree of harm that the victims must suffer for an act to be evil. In what follows, I shall be arguing for a thin concept *tout court*. That is to say, I shall argue for the idea that EVIL is simply an extreme of BAD or WRONG, and carries no further descriptive information (although, as we shall see, it carries a certain amount of inferential information).

2.1.1. The grammatical argument for a thin concept of evil

There are two arguments that I want to put forward in favour of a thin concept of evil. The first is an observation about grammar. Grammatically, 'evil' (in its narrow sense) is a *superlative*. We speak of people or acts as 'absolutely

evil', or 'purely evil', rather than 'very evil' (taking the intensifying adverb 'absolutely' rather than 'very' is one sign that an adjective is a superlative.[24] Further, it would seem to be a superlative connected to the adjectives 'bad' or 'wrong' (perhaps, generally, the former for people and the latter for acts). If we think that the grammar reflects the underlying logic of the term, then it would place EVIL on a scale of thin moral concepts; by calling something 'evil' we have strengthened a thin negative evaluation rather than thickened it and added some descriptive content (just as to call something 'huge' rather than 'big' does not add further descriptive content but simply strengthens the adjective).

2.1.2. The conceptual argument for a thin concept of evil

The second argument is an observation about concepts. As we have noted, one advantage of thinking of EVIL as a thin moral concept is that it can be generalised across cases. Just as BAD (understood in its moral sense) can potentially apply to a whole range of different things, so can EVIL. This is important because, even though we do not want the concept to be too tightly tied to a religious worldview, nor do we want it to be too tightly tied to a secular worldview. We tend to think that both the work of the devil (if he existed) and the work of the secularly described criminal psychopath are properly described as 'evil'. Further, as Marcus Singer points out, the concept of evil applies to a whole range of things "to persons, to intentions, to conduct, and to organisations, institutions, practices, arrangements, programmes, agencies, endeavours and situations".[25] Presumably, it is the same concept at play in all these cases, suggesting that EVIL has wide coverage and is a flexible concept that can apply to a variety of contexts.

One way to further support the above point is to distinguish between *the concept* of evil and various *conceptions* of evil.[26] The concept of evil would be that concept that is in public use and allows for intersubjective discussion, dispute,

[24] Claudia Claridge, "The Superlative in Spoken English", in: *Corpus Linguistics Twenty-Five Years on. Selected Papers of the Twenty-Fifth International Conference on English Language Research on Computerised Corpora*, ed. Roberta Facchinetti (Amsterdam: Rodopi, 2007), 121–148.

[25] Marcus Singer, "The Concept of Evil", *Philosophy* 79 (2004): 190.

[26] James Higginbotham James, "Conceptual Competence", *Philosophical Issues* 9 (1998): 149–162; Wijze, "Defining the Concept of Evil".

agreement and disagreement. Conceptions of evil would be the various ways that individual people think of that concept (sometimes, perhaps, erroneously attributing essential properties to it that it does not have). For instance, there is a well-defined concept of ARTHIRITIS in use to refer to pain in the joints, but various people in the linguistic community might have different conceptions of that concept and come to add or subtract elements that are not part of the concept – e.g., they might suppose that arthritis can also occur in the muscles.[27] When we look at the disputes between evil-sceptics and evil-revivalists, there are clearly wildly different conceptions in play; so what is the underlying concept that they might be discussing?

One potential answer to this is to suppose that there is not one single concept in play at all, but multiple concepts. This is the view of Luke Russell, for instance, who subscribes to a conceptual pluralism about evil.[28] Another answer, however, is suggested by Joshua Glasgow.[29] According to Glasgow, what determines the content of a concept where there are multiple different conceptions in play are the dispositions of the language users to come to a *negotiated understanding* of the concept. For instance, we can suppose that those people with what we would regard as a misaligned conception of arthritis (which assumes that arthritis can occur in the thigh), would, upon negotiated discussion with more competent users of the term (e.g., doctors), come to converge on a conception that is in line with the community-wide concept. A concept, then, is that description which "we would all converge on when presented with the same (actual or possible) conflict-of-commitment scenarios".[30] Concepts diverge – and people start talking past each other – at that point where there is no reason-driven negotiated answer to be had.

Given this, what negotiated understanding could we expect the evil-sceptics and the evil-revivalists to be disposed to converge on if push came to shove? Stephen de Wijze has suggested that it is that set of actions, persons,

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[27] Tyler Burge, "Individualism and the Mental", *Midwest Studies in Philosophy* 4(1) (1979): 73–122.

[28] Russell, *Evil: A Philosophical Investigation*.

[29] Joshua Glasgow, "Conceptual Revolution", in: *Shifting Concepts: The Philosophy and Psychology of Conceptual Variability*, eds. Teresa Marques, Asa Wikforss (Oxford: Oxford University Press, 2020), 149–166.

[30] Ibidem, 156.

institutions or ideologies that involve "a subversion and distortion of […] normative boundaries […] boundaries that are fundamental to the possibility of decent and tolerable lives".[31] Or, even more minimally, the core concept is simply that which applies to "the very worst kinds of acts, persons, and institutions from a normative perspective".[32] This is to say that it is an extreme negative evaluation. If nothing else, evil-sceptics and evil-revivalist can agree that EVIL lies at the most extreme and radical end of our moral evaluations.

2.2. The normative challenges to the concept of evil

We have argued that EVIL is not susceptible to an error-theory style argument because, at its core, it can be whittled down to a thin concept that expresses an extreme negative moral evaluation. Given its lack of substantive descriptive content, such a concept cannot be in global *error*, since there is not a set of corresponding facts for it to be in error about (although this is not to say it cannot be inappropriately applied).

Nevertheless, the fact that it cannot be in error does not yet tell us whether we should retain or eliminate it. As we have seen (Section 1), there are two potential reasons for eliminating a concept: descriptive reasons (it does not refer), or normative reasons (it is unhelpful or counter-productive in some way). It is the latter we shall now discuss.

There are three issues to discuss regarding the normativity question: first, is the concept of evil theoretically *illuminating* in any way; second, is the concept of evil *necessary* in any way (or could we save ourselves the trouble and just use other terms which allow for less divergence in conception); third, is the concept of evil liable to be *misused* in some way because of the divergence in conception.

2.2.1. Is the thin concept of evil illuminating?

One of the consequences of using a thin concept is that what it gains in generality, it loses in specificity,[33] and in this respect one might wonder whether

[31] Wijze, "Defining the Concept of Evil", 204.
[32] Ibidem, 205.
[33] Russell, *Evil: A Philosophical Investigation*, 111.

it is worth retaining at all. We might, that is, think that a thin concept is unexplanatory or unilluminating. For instance, if the point of the concept is to explain *why* someone committed an atrocious act, a thin concept would be of little help. It would simply classify it as 'evil' but leave the real explanation to another set of concepts in our vocabulary.

In response to this concern, however, we need to widen our idea of the purpose of our moral concepts. It is true that the concept of evil does not delve into the psychological (or for that matter sociological or neurophysiological) mechanisms behind evil. However, this is not to say it does not have an *orientating* role to play in such projects. By categorising something as evil we are drawing attention to it, as something exceptional, with a specific and extreme place within our nexus of moral concepts.[34] In doing this, we are orientating our responses to significant events, directing our often scattered attention towards it, and suggesting what reactions might be appropriate. To say that something such as the Holocaust is 'evil' is neither to idly label it nor to clumsily attempt to describe the complex motives and circumstances that led up to it. It is, rather, a call to arms; an attempt to direct and orient our moral, emotional, practical and intellectual resources to the event, to ensure that its lessons are not forgotten. In this sense, the concept of evil is illuminating, not because it shines a light on events, but because it tells us *where* we should shine our lights and by insisting that we hold the light steady while we do so.

2.2.2. Is the thin concept of evil necessary?

Our second normative question was whether the concept is *necessary*. Could we not replace it with either a more descriptive word (perhaps 'atrocity'), or express the extremity by way of saying that an act/person/institution (etc.) is 'exceptionally bad' or 'awful'? Such terms could just as well play the orientating role I have suggested. The advantages of doing so would be to avoid the "quaint, unscientific, embarrassing"[35] religious connotations that conceptions of 'evil' sometimes have, as well as the overly emotional reactions it might engender.

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[34] Garrard, "Does the Term 'Evil' Have any Explanatory Power?", 192–193.

[35] Andrew Chignell, "Introduction", in: *Evil: A History*, ed. Andrew Chignell (New York: Oxford University Press, 2019), 3.

In response to this, however, the supporter of the thin concept could allow that EVIL is not an ordinary superlative. To say that something is 'evil' is not merely to say that it is very wrong or exceptionally bad, and it is not merely to place it at the end of a scale of badness. It is, rather, to say – uniquely perhaps – that it is in some sense morally 'off the scale' or 'beyond the pale'. According to de Wijze, for instance, evil "does not constitute a merely greater quantity of wrongdoing but involves *subversion and distortion of the very normative boundaries themselves*".[36] In a related vein, Susan Neiman says that "designating something as evil is a way of marking the fact that it *shatters our trust in the world*".[37] This is to say that evil, as a thin evaluative concept, expresses a sense of *moral emergency*; a sense that the act in question undermines, or puts under pressure, the very normative structure that would deem it evil in the first place.[38]

An epistemological analogy might help to illustrate the claim being made here. There are certain doubts that we might have that are perfectly ordinary. If I am due to meet a friend, I can doubt that they will arrive. My doubt can be stronger or weaker. I can doubt it a little, or I can doubt it very much. I can be certain they will come or be highly sceptical about it. But there are other doubts that I can have which, if entertained seriously, are more than just doubting something very much. These doubts are 'off the scale'. They have a 'distorting or subversive' effect on the very normative boundaries between knowledge and doubt. For instance, if I do indeed meet my friend, but then start doubting that

[36] Wijze, "Defining the Concept of Evil", 204, emphasis added.

[37] Susan Neiman, *Evil in Modern Thought: An Alternative History of Philosophy* (Princeton, NJ: Princeton University Press, 2002), 9, emphasis added.

[38] Various philosophers have beckoned at this elusive extra ingredient. Garrard and McNaughton say that evil actions are immoral in "peculiarly disturbing and dreadful ways" (Eve Garrard & David McNaughton, "Forgiving Evil", in: *Forgiveness and its Moral Dimensions*, ed. Brandon Warmke, Dana Nelkin and Michael McKenna (New York: Oxford University Press, 2021), 197). Uidhur says that evil is "profound immorality" or "profound moral bads" (Christy Mag Uidhur, "Reflection: Cinematic Evil", in: *Evil: A History*, ed. Andrew A. Chignell (New York: Oxford University Press, 2019), 416). My aim in this section is to cash out these allusions to the *peculiarity* and *profundity* of immorality that 'evil' appears to designate, where the peculiarity and profundity appear to go beyond merely a quantitative extension of immorality (for a discussion of the qualitative/quantitative division as it applies to evil, see Todd Calder, "Evil and Wrongdoing", in: *The Routledge Handbook of the Philosophy of Evil*, ed. Thomas Nye and Stephen de Wijze (London: Routledge, 2019)).

they are actually there – perhaps they are merely a hologram, I think – this would, if entertained seriously and deeply, 'shatter my trust in the world'.[39]

The claim being made here is that EVIL as a concept should be understood by analogy to sceptical doubt; it stands in a similar relation to wrongdoing as sceptical doubt does to ordinary doubt. The concept of evil should be used to evaluate exactly those acts that have an analogously subversive or distorting effect on our moral lives as sceptical doubts would on our epistemic lives. It is to point to the type of act that, if it were normalised, would serve to undermine any recognisable moral system at all.

2.2.3. Is the thin concept of evil liable to be misused?

The final normative question to address is whether the concept of evil is liable to be *misused*. Even if we accept that there is an underlying thin core concept of evil that might be discoverable via idealised dispositional negotiation between rational agents, one might feel that, for practical purposes, this is not especially helpful when faced with the messy realities of partisan propaganda as well as widespread (explicit and implicit) intolerance towards minorities.

There are two concerns here: one to do with the core *concept* of evil and one to do with the extraneous *conceptions* of evil. We can take these in turn.

The first concern is quite acute given what we have argued. We have argued that there is a thin moral concept of evil which regards evil as evaluatively signifying a moral emergency that has a distortive and subversive effect on the moral system that one is a part of. This is still a thin concept because it is portable: place the concept of evil within a different moral system and a different set of act-types or person-types might be regarded as 'evil'. But this has the consequence that the concept of evil could be used, within a different context, perfectly legitimately, to designate as 'evil' that which we would regard as 'permissible', 'good' or even 'heroic'. For instance, within a moral system that endorses slavery, such as the American South before and during the Civil

[39] See Ludwig Wittgenstein, *On Certainty* (Oxford: Blackwell, 1969) for an anti-sceptical epistemological argument along these lines, and Neil O'Hara, *Moral Certainty and the Foundations of Morality* (Cham: Palgrave MacMillan, 2018) for an extension of some of those ideas to ethics.

War, perhaps Harriet Tubman[40] would be regarded as having a 'distorting or subversive' effect on the accepted moral system because of her role in the Underground Railroad.

In response, one might argue that what counts as an 'off the scale' extreme of evil will not actually differ that much in practice between cultures (even though it could in principle). Although there can clearly be disagreement about cases, it might be something of a cultural universal – a *contingent* cultural universal, but a cultural universal all the same – that people will instinctively regard actions such as substantial cruelty ("the maiming of a person's dignity, the crushing of a person's self-respect"[41]) as having a place at the end of, or off the scale of, moral wrongness. Such cruelty has a place at the evaluative extreme, not because it is built into the concept of evil that cruelty is evil (that would be a thick concept of evil), but because it is difficult to see how any moral system could maintain a structure that differentiates categories and degrees of good/bad or right/wrong while endorsing cruelty in this respect. To the extent that such cruelty is institutionalised – as in Nazi Germany or the pre-Civil War American South – then it can be hidden away to greater or lesser degrees, either literally, or via various forms of cognitive dissonance that deny the humanity of the victim.[42]

The second concern mentioned above was not with the *concept*, but with the *conceptions* of evil. Conceptions of evil are thick, not thin. They include various descriptions that might not be part of the concept. Perhaps most people's conceptions of evil are thicker than the concept. If conceptions are quite difficult to shift, and if our conceptions of evil tend towards essentialising evil, then the mix of an extreme evaluative concept with essentialist conceptions could be quite a dangerous thing, threatening to stigmatise mental illness, heighten tensions between polarised nations and social groups, foster intolerance towards outsiders or minorities, and lead to non-progressive attitudes towards criminality. In an insightful discussion of these issues, the psychiatrist James Knoll concludes:

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[40] Catherine Clinton, *Harriet Tubman: The Road to Freedom* (New York: Black Bay Books, 2004).

[41] Philip Hallie, "From Cruelty to Goodness", *The Hasting Center Report* 11(3) (1981): 7.

[42] A second point to note in response is that EVIL is not, in any case, in a worse position on this than BAD or GOOD are. It is not an objection to the concepts of BAD or GOOD – it is not, at least straightforwardly, an argument to eliminate them – that they are applied differently within different moral cultures.

> The term evil is very unlikely to escape religious and unscientific biases that reach back over the millennia. Any attempt to study violent or deviant behavior under this rubric will be fraught with bias and moralistic judgments. Embracing the term evil as though it were a legitimate scientific concept will contribute to the stigma of mental illness, diminish the credibility of forensic psychiatry, and corrupt forensic treatment efforts.[43]

In response, we can say the following. According to the thin view we have put forward, the concept of evil is unlikely to be eliminable, since it simply occupies a place in the logical space of moral evaluation; it would be like trying to eliminate the number 0, the concept of infinity, or the colour black. If the conceptions that attach to the concept are inflammatory in some way, then that is an argument to change (or 'engineer') the conceptions rather than to eliminate the concept, perhaps by way of engineering the contexts in which the concept applies. If we think that the concept is inevitable anyway, then it is incumbent upon philosophers, psychologists, political theorists, criminologists, sociologists and anyone else interested in the state of this topic to think about how the concept of evil should apply within our moral landscape. And this means not looking at the thickness of the concept or conception of evil but looking at its *inferential role* in our lives: how we think about evil (the kind of conceptions we have of it) will be partly dependent on how we react to it. This is what we shall now discuss.

3. Responding to evil

According to the argument we have discussed, the concept of evil is a thin one which designates an extreme wrong. In this respect, any legal response should be appropriate to that extremity. For many this has meant capital punishment, which has long been regarded as the 'ultimate' penalty.[44] On the other

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[43] Knoll, "The Recurrence of an Illusion": 114.

[44] Barry notes that legal systems will often cite "especially wicked, evil, or atrocious crimes" as aggravating factors that justify capital punishment (Peter Brian Barry, *Evil and Moral Psychology* (New York: Routledge, 2013), 137–139). Brooks mentions too that capital crimes in the Old Testament often relate to metaphysical forces of corruption, including "worshippers of Baal,

hand, however, we have argued that the thin concept of evil, on account of it being thin, is *malleable* in its extensional application. In this respect, legal responses can, in the responses they recommend to evil, also be variable, depending on the underlying conceptions of that concept that are in play. In this section, I want to argue that responses to evil that advocate capital punishment will often import assumptions from a thick conception of evil that conflate *the act* and *the person*. A proper separation of the two allows for a legal response to evil that is at root humanistic, rather than wholly punitive, while still allowing that the response is fully appropriate to the crime. Such a response would reject capital punishment and help instil a conception of evil that is less liable to be used counter-productively.

An initial argument in favour of capital punishment as a response to evil is just that it 'fits the crime'. This is a broadly retributivist, backward-looking justification, based on the idea that punishment should be *proportional* to the crime, where proportionality might be judged according to any of a range of different measures. This is brought out in this passage from Louis Pojman:

> Society may rank punishments roughly corresponding to the gravity of the crime. That is, it draws up two lists. The first list consists of a list of crimes from the worst to the least serious. The second is a list of punishments that it considers acceptable from the most severe to the least severe. So long as there is a rough correspondence between the two lists, a society is permitted to consult its own sense of justice in linking the various punishments with each crime in question. The death penalty, it would seem, would be at the head of the list of severe punishments, linked retributively with the worst crimes.[45]

The question of whether capital punishment should 'top the list' of punishments is dependent on a range of factors. One might question, for instance, whether it should be on the list at all, given that other severe punishments – e.g., ostentatiously cruel ones such as being 'hung, drawn and quartered' – are no longer seen as suitable forms of punishment: there is not a straightforward

witches and wizards, parents who let their children worship Molech" (Thom Brooks, *Punishment* (London: Routledge, 2012), 151).

[45] Louis Pojman, "In Defense of the Death Penalty", in: *Ethics in Practice*, ed. Hugh LaFollette (London: Blackwell Publishing, 2007), 546.

inference to be made from the idea that evil and capital punishment are both extremes to the conclusion that they are therefore made for each other. On the other side, one might also question whether evil crimes should top the list of crimes. The idea that there is a list of crimes, ranked in terms of severity, at the top of which are the evil ones, is less obvious if we suppose that evil is *qualitatively* distinct from other forms of wrongdoing, than if we suppose it is *quantitatively* distinct.[46] If it is quantitatively distinct, then evil might call for a *sui generis* form of legal response.

Matthew Kramer[47] has argued that if capital punishment is to have a rationale then it is a *sui generis* rationale, specific to capital punishment, which he calls the *purgative rationale*. For Kramer, the broad theoretical context in which to understand such a rationale is not via a general theory of punishment, but via the concept of evil, which he thinks is likewise *sui generis*:[48]

> [The purgative rationale] maintains that some misdeeds are so monstrously evil as to render morally noxious the lives of the people who have committed them. The continued existence of the perpetrator of any such misdeed(s) will have defiled the moral character of the community in whose control he or she abide… By failing or refusing to execute such a person after fair legal proceedings, a community becomes and remains defiled.[49]

For Kramer, capital punishment is specifically a response to what he calls 'monstrous evil'. These are acts that are so extreme that the continued existence of their perpetrator 'defiles the moral character of a community'. By not execut-

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[46] Leo Zaibert Leo, "Evil and Punishment", in: *The Routledge Handbook of the Philosophy of Evil*, ed. Thomas Nys, Stephen de Wijze (London: Routledge, 2019), 269–270.

[47] Matthew Kramer, *The Ethics of Capital Punishment: A Philosophical Investigation of Evil and its Consequences* (Oxford: Oxford University Press, 2012).

[48] Strictly speaking, Kramer argues for a connection between '*monstrous* evil' (or '*extravagant* evil') and evil. This makes Kramer's position unique in the literature, in that, rather than having a two-way qualitative distinction between (a) wrongdoing; and (b) evil, Kramer has a three-way qualitative distinction between (a) wrongdoing; (b) evil and (c) monstrous evil. The result is that someone like Joseph Fritzl is put into category (b) for Kramer. Part of the motivation for this third category is so that the scope of the justification for capital punishment is "cabined" (ibidem, 226) – that is to say it applies to only very few murders (extreme in their 'gruesomeness').

[49] Ibidem, 14.

ing them, the community is stained and tainted by an implicit endorsement of their actions; the stain can only be removed by purging the community of – i.e., executing – the perpetrator of the act.

Kramer's argument is partly dependent on the thought that, although the act itself cannot be eliminated (it has already been committed and, obviously, cannot be reversed), there is a need to remove – or purge – the 'moral stain' that the act left. The aim of the punishment is to clean a moral system of the stain that has defiled it. Since the evil act is (by definition, for Kramer, on account of its culpability) carried out by a person with motives that are congruent with the act, the stain that remains in the system is the continued existence of the *person* who carried out the act. The legal-governmental system that represents the moral community is therefore obligated to remove the stain by executing the person who embodies it. The continued existence of the person would be "an affront to humankind"[50] on account of their culpable involvement in the evil act(s); without execution, the stain would rub off on the community at large.

Kramer's argument relies quite heavily on evocative metaphors such as 'taint', 'stain', 'defile' and 'purge'. But it is not entirely clear how these should be cashed out. Perhaps the continued existence of the offender would continue to 'defile' the community if there were no way in principle for the offender to separate themself from the act through a change of heart or disposition, but it is not clear why this should be conceptually impossible. And if it is not conceptually impossible, then it is unclear why a concerted effort to instil in the offender such repentance should not be a more effective way of removing the 'stain' than capital punishment would.

The idea that someone is, in principle, beyond hope is to tie one's mast to the unrealistic conceptions of evil that were mentioned in Section 1: the forces of darkness, or the psychologically twisted malicious monster. As Avishai Margalit observes, "[e]ven the worst criminals are worthy of basic human respect because of the possibility that they may radically re-evaluate their past lives and, if they are given the opportunity, may live the rest of their lives in a worthy manner".[51] Even when this is unlikely, where an offender seems to be beyond hope or repair, to reject it is to reject their humanity – it is to fall back on conceptions of

[50] Ibidem, 233

[51] Avishai Margalit, *The Decent Society* (Harvard: Harvard University Press, 1996), 269.

evil as related to inhuman forces or inhuman psychological profiles that are beyond redemption – and to reject their humanity is to reject their standing as a moral being at all.[52] To regard the worst perpetrators of evil acts in the way recommended by Joel Feinberg as "like wild beasts or mad dogs" for which "there is just one thing to do. Shoot her and get it over with"[53] is to place that person not just 'off the scale' of moral condemnation, but out of the grip of morality altogether. Such a response would be akin to forgetting the acts had ever happened, rather than responding to them. A proper response, by contrast, would be to hold the offender *accountable*; to regard them, potentially at least, as open to the reasons of morality, and to try to bring them to recognise those reasons and to recognise the depth of their wrongdoing, and then to embody that recognition within their character and behaviour. Indeed, there would perhaps be something distinctive – an extreme kind of mental anguish – that could come out of a genuine sense of *remorse* for an evil act.

To summarise: the claim here has been that evil is inevitably connected with a distinctive form of institutional response. In the context of certain worldviews, capital punishment might well be the appropriate response to evil: there is perhaps nothing else to do with the forces of the devil than to cast them out, perhaps with spite and rage. In the context of a worldview that is highly reductive in a scientistic sense, then capital punishment would potentially be justified on purely consequentialist grounds, deterring would-be evildoers, and eliminating those deemed beyond repair. However, on a secular humanistic worldview[54] there is, I have argued, good reason to regard evildoers as *respon-*

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[52] One might still want to object that there can be heinous acts that place the perpetrator so far outside of the moral circle, that their continued existence is an afront to human dignity (see, e.g., the response that Hannah Arendt imagines the Jewish community making to Adolf Eichmann). However, as I mention below, it is not clear what could support such a judgement that a person is *forever* out of the reach of morality. A society respects morality more not by erasing instances of evil from memory, but by acknowledging them; and the aim of a mature criminal justice system should (I would argue) be to instil a sense of remorse in perpetrator (i.e., an acknowledgement of the atrocity). Thanks to an anonymous referee for pressing me on this point.

[53] Joel Feinberg, *Problems at the Roots of Law: Essays in Legal and Political Theory* (Oxford: Oxford University Press, 2003), 190.

[54] By this I mean a worldview that recognises moral and mental concepts (so does not eliminate them as a reductionist would) but also rejects the supernatural.

sible for what they have done; and to treat someone as responsible is to regard them as capable of understanding and acting on the reasons of morality. On this view, what would be proportional to the evil act would not necessarily be punishment but would be the remorse that the evildoer could come to experience, and that the state would attempt to facilitate – a sense of remorse that would, if the act was extreme and the remorse genuine, last a lifetime.[55]

4. Concluding thoughts

The purpose of this article has been to sketch a response to a set of arguments from evil-sceptics, a response that is based on the idea that EVIL is a thin moral concept. The two main families of challenges that evil-scepticism raises are descriptive and normative. The *descriptive challenges* (that EVIL refers to a supernatural force, or to a cartoonish psychology) are answered by arguing that the concept of evil is thin, and thus carries no descriptive baggage. The *normative challenges* (that EVIL is non-explanatory or counter-productive) are answered by arguing that the concept of evil can help make sense of, and help shape, our secular institutionalised practices of responding to extreme crime. Such practices need not insist on extreme, punitive punishment as a response to evil, but might focus instead on instilling a genuine sense of what Raimond Gaita[56] calls "the severity of lucid remorse". It is lucid because it is aware "of the unconditional preciousness of each human being" and it is severe because, for the evildoer, it is the "shocked and bewildered realisation" of their actions and what their actions have caused. Gaita regards remorse as "interdependent with a distinctive concept of evil". On this view, EVIL is not just a concept that is compatible with a progressive, humanistic worldview, but one which is necessary for it.

[55] Gaita talks of the "bewilderment characteristic of remorse – What have I done? How could I have done it?" (Raimond Gaita, *A Common Humanity: Thinking about Love and Truth and Justice* (London: Routledge, 1998), 43).

[56] Ibidem, 34.

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