

# Chapter 1

## Introduction to the Volume



Luca Malatesti, John McMillan, and Predrag Šustar

**Abstract** This chapter introduces psychopathy and the interrelated issues concerning its use, validity, and status, as investigated in the other chapters in the collection. Psychopathy is a condition that is typically characterised as a personality disorder with low affectivity, a manipulative and deceptive interpersonal style, and a persistent pattern of antisocial and even criminal behaviour. Measures of psychopathy have been extensively applied in different countries, in forensic and other contexts, to support treatment, management, prediction of violent recidivism, general evaluation of risk and criminal accountability. These uses, that can have a serious impact on the lives of persons, raise different questions concerning the scientific robustness of these measures and the disorder status of psychopathy. We highlight the interdisciplinary nature of the investigations needed to address these questions. To delineate the general framework guiding the collection, we also delineate briefly how the interaction between the scientific study of psychopathy and philosophical insights, coming from philosophy of science and philosophy of psychiatry, can contribute to answering these questions.

**Keywords** Psychopathy · Ethics of diagnosis · Construct validity · Forensic applications · Interdisciplinary research

Psychopathy has become a focal point for scientific research over recent years. It is a condition that is typically characterised as a personality disorder with low affectivity, a manipulative and deceptive interpersonal style, and a persistent pattern of antisocial and even criminal behaviour. The Psychopathy Checklist Revised by Robert Hare (PCL-R) (Hare, 2003), that was elaborated in the seventies and further

---

L. Malatesti (✉) · P. Šustar  
Department of Philosophy, Faculty of Humanities and Social Sciences, University of Rijeka,  
Rijeka, Croatia  
e-mail: [lmalatesti@ffri.uniri.hr](mailto:lmalatesti@ffri.uniri.hr); [psustar@ffri.uniri.hr](mailto:psustar@ffri.uniri.hr)

J. McMillan  
Bioethics Centre, University of Otago, Dunedin, New Zealand  
e-mail: [john.mcmillan@otago.ac.nz](mailto:john.mcmillan@otago.ac.nz)

refined into its current form in the following decades, has shaped the current paradigm for the scientific study of psychopathy. Thus, although many have offered and investigated alternative measures to PCL-R (Fowler & Lilienfeld, 2013), this measure informs a large number of the studies of behavioural and functional characteristics that are associated with psychopathy and their cognitive, neurological and genetic underpinnings (Patrick, 2018).

Being diagnosed as a psychopath can have a significant impact upon someone's life. In fact, PCL-R, and other measures of psychopathy, have been extensively applied in different countries, in forensic and other contexts, to support treatment, management, prediction of violent recidivism, general evaluation of risk and criminal accountability. These applications inform important decisions. In some countries being diagnosed as a psychopath might be a ground for denying parole, longer detainment, and be an aggravating factor in decisions concerning capital punishment (Edens et al., 2018). Similarly, psychopathy can be a relevant consideration in child custody cases (Lyon et al., 2016). Psychopathy, perhaps more than other psychiatric conditions, carries significant social stigma (Jurjako et al., 2019).

The impact of being diagnosed as psychopathic has motivated scientific study but also debates about the practical applications of this construct. Several researchers have thus far investigated how PCL/R and other measures of psychopathy fare, in terms of their reliability, when used in practical contexts (Bocaccini et al., 2012). Similarly, there are studies that investigate how judges, juries, or other decisional makers are affected by the information that a person is diagnosed as a psychopath (Edens et al., 2013). In any case, an important focus for research and debate has been the capacity of PCL-R or other measures of psychopathy to ground predictions of violent recidivism. Worries about this issue have even motivated a document by concerned experts in the uses of PCL-R for decisions about capital punishment (DeMatteo et al., 2020; cf., Olver et al., 2020). All these can be classified as worries internal to the paradigm of psychopathy studies.

To avert systematic misuses or extrapolation beyond the proper area of applicability of the construct of psychopathy, however, it is very important to frame the discussion by considering also more general issues. There are general concerns about the construct of psychopathy that can be addressed within philosophy of psychiatry (Fulford et al., 2013). There is, in fact, the problem of the overall plausibility of the construct of psychopathy. Answering this question requires also engaging with foundational issues in psychiatry that concern the nature and reliability of its classificatory practices. In addition, there are open related issues concerning the fact that certain values have a role in the formulation of the category of psychopathy. Also, the presence and significance of values in psychiatric theory and practice is a fundamental issue that has attracted the interest of the philosophers of psychiatry (Bolton, 2008; Sadler, 2005). Addressing these general issues renders explicit, clarifies, and probes general underlying assumptions that shape thinking and practices in research, clinical and forensic settings. We are strongly committed to the idea that this kind of explication is conducive to better practices in this specific case of translation of scientific knowledge.

The book documents and aims to promote research on these general issues about the construct of psychopathy. The volume includes chapters commissioned by different specialists who present leading and, whenever it is relevant, competing positions. The book is organized into three parts, each covering a range of important issues related to psychopathy. The first part, “Diagnosing psychopathy. Practices, case studies, and problematic areas”, shows how psychopathy functions within the institutional and social practices of some countries. This overview delineates some major practical and ethical problems and perplexities that derive from these uses of the diagnosis of psychopathy.

The second part, “The plausibility and validity of psychopathy”, offers, besides insights on the current diagnosis of psychopathy, functional and behaviour correlates, and certain explanatory hypotheses, more theoretical discussions of psychopathy. The plausibility of psychopathy as a construct and the validity of its measurements can be investigated within the boundaries of psychiatry and behavioural sciences. Psychometric research and studies about the neural, functional, and genetic correlates of psychopathy, as mentioned, abound and are likely to offer fundamental insights on these issues. However, theoretical, or philosophical considerations about the nature of personality disorders, psychiatric classification, and the reification of psychiatric conditions and disorders are relevant as well. In particular, the status of the construct of psychopathy is investigated in relation to the philosophical debate on the nature of scientific classifications.

Finally, the third part, “Psychopathy and values”, discusses how different kinds of values are relevant to the construct of psychopathy and what consequences this has for the validity of the construct and its status as a medical disorder. Investigating the status of psychopathy as a disorder, the preferences and needs that govern the use of this construct and how they might be culturally specific, involves addressing general philosophical/foundational issues about the concept of mental disorder that are at the core of much current philosophy of psychiatry.

We would like to conclude this short introduction with a methodological consideration. The book is addressed to an interdisciplinary readership that, including graduate students, consists of behavioural scientists, different mental health practitioners, and philosophers. Our hope is that research on psychopathy and its practical significance could profit by the investigation of research hypotheses that focus on the issues covered in this book. But this will only be possible if these hypotheses can be formulated and investigated by interdisciplinary research groups that will be able to converse (or compromise) and agree on the relevant problems and how to address them. So far, with very few exceptions, it seems that there has been a lack of communication and collaboration amongst those who investigate psychopathy from these different perspectives. For instance, while several philosophical attempts at investigating the practical significance of psychopathy have relied on a too selective or inadequate reading of the neuropsychological literature (Jalava & Griffiths, 2017, [this volume](#)), the important conceptual and normative issues raised and debated in recent discussions in philosophy of psychiatry have had no significant impact on the scientific study of psychopathy.

## References

- Boccaccini, M. T., Turner, D. B., Murrie, D. C., & Rufino, K. A. (2012). Do PCL-R scores from state or defense experts best predict future misconduct among civilly committed sex offenders? *Law and Human Behavior, 36*(3), 159–169. <https://doi.org/10.1037/h0093949>
- Bolton, D. (2008). *What is mental disorder? An essay in philosophy, science, and values*. Oxford University Press.
- DeMatteo, D., Hart, S. D., Heilbrun, K., Boccaccini, M. T., Cunningham, M. D., Douglas, K. S., Dvoskin, J. A., Edens, J. F., Guy, L. S., Murrie, D. C., Otto, R. K., Packer, I. K., & Reidy, T. J. (2020). Statement of concerned experts on the use of the Hare psychopathy checklist—Revised in capital sentencing to assess risk for institutional violence. *Psychology, Public Policy, and Law, 26*(2), 133–144. <https://doi.org/10.1037/law0000223>
- Edens, J. F., Magyar, M. S., & Cox, J. (2013). Taking psychopathy measure ‘out of the lab’ and into the legal system: Some practical concerns. In K. A. Kiehl & W. P. Sinnott-Armstrong (Eds.), *Handbook on psychopathy and law* (pp. 250–272). Oxford University Press.
- Edens, J. F., Petrila, J., & Kelley, S. E. (2018). Legal and ethical issues in the assessment and treatment of psychopathy. In *Handbook of psychopathy* (2nd ed., pp. 732–751). The Guilford Press.
- Fowler, K. A., & Lilienfeld, S. O. (2013). Alternatives to psychopathy checklist-revised. In K. A. Kiehl & W. P. Sinnott-Armstrong (Eds.), *Handbook on psychopathy and law* (pp. 34–57). Oxford University Press.
- Fulford, K. W. M., Davies, M., Gipps, R. G. T., Graham, G., Sadler, J. Z., Stanghellini, G., & Thornton, T. (Eds.). (2013). *The Oxford handbook of philosophy and psychiatry*. (First published in paperback). Oxford University Press.
- Hare, R. D. (2003). *The Hare psychopathy checklist revised* (2nd ed.). Multi-Health Systems.
- Jalava, J., & Griffiths, S. (2017). Philosophers on psychopaths: A cautionary in interdisciplinarity. *Philosophy, Psychiatry, and Psychology, 24*(1), 1–12.
- Jalava, J., & Griffiths, S. (this volume). Psychopathy: Neurohype and its consequences. In L. Malatesti, J. McMillan, & P. Šustar (Eds.), *Psychopathy. Its uses, validity, and status*. Springer.
- Jurjako, M., Malatesti, L., & Brazil, I. A. (2019). Some ethical considerations about the use of biomarkers for the classification of adult antisocial individuals. *International Journal of Forensic Mental Health, 18*(3), 228–242. <https://doi.org/10.1080/14999013.2018.1485188>
- Lyon, D. R., Ogloff, J. R. P., & Shepherd, S. M. (2016). Legal and ethical issues in the assessment of psychopathy. In C. Gacono (Ed.), *The clinical and forensic assessment of psychopathy: A practitioner’s guide* (2nd ed., pp. 193–216). Routledge/Taylor & Francis Group.
- Olver, M. E., Stockdale, K. C., Neumann, C. S., Hare, R. D., Mokros, A., Baskin-Sommers, A. R., Brand, E., Folino, J., Gacono, C., Gray, N. S., Kiehl, K. A., Knight, R. A., Leon-Mayer, E., Logan, M., Meloy, J. R., Roy, S., Salekin, R. T., Snowden, R., Thomson, N., ... Yoon, D. (2020). Reliability and validity of the psychopathy checklist-revised in the assessment of risk for institutional violence: A cautionary note on DeMatteo et al. (2020). *Psychology, Public Policy, and Law, 26*(4), 490–510.
- Patrick, C. J. (Ed.). (2018). *Handbook of psychopathy* (2nd ed.). The Guilford Press.
- Sadler, J. Z. (2005). *Values and psychiatric diagnosis*. Oxford University Press.