

How to Solve the Problem of Evil: A Deontological Strategy

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1 The Argument from Gratuitous Evil

Arguments from evil against theism come in many varieties, but one paradigmatic argument from evil goes as follows:

- (1) If God exists, then there is no gratuitous evil.
- (2) There is gratuitous evil. So,
- (3) God does not exist.¹

By ‘God’, I mean a being that is omnipotent, omniscient, and morally perfect. By ‘evil’ I mean any non-instrumentally bad states of affairs. As for the term ‘gratuitous’, I want this to capture the two main ways some philosophers think that an evil might be impermissible for God. So I will stipulate that an evil is gratuitous iff it is either (i) not tied to a good that outweighs it, or (ii) impermissible regardless of whether it is tied to a good that outweighs it.²

¹ The argument from gratuitous evil is due to Rowe, “The Problem of Evil”. I’ve based this formulation on DePoe, “Epistemological Framework”.

² The first disjunct of this definition is fairly standard, and reflects that of Rowe, “The Problem of Evil”.

When I speak of an evil being *tied* to a good, what I mean is that the good can be brought about only by permitting either that evil, or some evil equally bad or worse. Being tied to a good is an agent-relative matter. For example, there might be a good G that nomically necessitates an evil E. Then, relative to any ordinary human agent, E is tied to G. But since God has power over the laws of nature, God can bring about G without permitting E. So although E is tied to G for human agents, it is not tied to G for God. But if we imagine instead that G *entails* E, then E will be tied to G even for God.³

When I say that a good *outweighs* an evil, what I mean is that a state of affairs which includes both the good and the evil is better, *ceteris paribus*, than one which lacks both. It doesn't matter whether the overall value of the state of affairs that includes both the good and the evil is a function of the respective values of the good and the evil when each is taken on its own, or if their combination is instead a Moorean organic unity.⁴

There are two ways for an evil to be gratuitous by my definition. The first is by not being tied to an outweighing good. Call evils which satisfy this condition *conditionally gratuitous*. Since being tied to an outweighing good is an agent-relative affair, an evil may be conditionally gratuitous for some agents and not others. The second way for an evil to be gratuitous is for that evil to be impermissible regardless of whether it is tied to an outweighing good. An evil E satisfies this condition iff E is (i) impermissible, and (ii) the facts in virtue of which E is impermissible can obtain with or without E being tied to any outweighing goods. Call evils that satisfy this condition *unconditionally gratuitous*. Below we will see that unconditional gratuitousness can be agent-relative in a certain sense as

³ An evil E will also be tied to G for God if G entails, not E *per se*, but that God permits E (Crummett, "Sufferer-Centered Theodicies").

⁴ This is a standard account of what it is for an evil to be outweighed. The notion of an organic unity was introduced by Moore, *Principia Ethica*, and the idea that God 'defeats' evils by incorporating them into highly valuable organic unities is developed by Chisholm, "Good and Evil"; Adams, *Horrendous Evils*; and McCann, *Creation*.

well. Notice that these two types of gratuitousness are not mutually exclusive. An evil which is not tied to an outweighing good might also be impermissible independently of this fact.⁵

I think it is safe to say that most opponents of the argument resist premise (2). But I will join that minority who resist (1), and the even smaller minority who resist (1) on deontological grounds.⁶ Though controversial, deontology is a well-established family of theories that does at least as good a job of capturing some of our important ethical intuitions as its major rivals. So, it is an independently motivated foundation on which to build a response to the problem of evil. Moreover, we will see that a deontological approach to theodicy does not need to begin from scratch, because it allows us to restructure existing theodicies that challenge (2) so that they instead target (1).⁷

In what follows, I consider the prospects of three deontological strategies for rejecting (1). I will argue that the first two are problematic on their own, but that their primary weaknesses vanish when the strategies are combined to form a third strategy. The result is a promising new approach that theists can pursue in their efforts to solve the problem of evil. But to be clear, my aim is not to solve the problem of evil in a single paper; it is only to outline a plausible strategy for doing so.

⁵ Reitan, "Consequentialist Morality", documents that most discussion in the literature has focused on what I am calling conditionally gratuitous evil. For discussion of what I am calling unconditionally gratuitous evil, see, e.g., McNaughten, "The Problem of Evil" and "Is God (Almost) a Consequentialist?"; Mooney, "A Deontological Problem"; Murray, *Nature Red in Tooth and Claw*, ch. 6; cf. Sterba, "Skeptical Theism".

⁶ That is, by drawing on notions that are traditionally associated with deontology. I take no stand on whether they should further be regarded as exclusively or definitively deontological. Both the general point that one's ethical theory may impact how one presents or responds to the problem of evil, and the more specific point that deontology does so, have been made before. Pierce, "Moderate Deontology", even suggests using a Rossian framework.

⁷ Reitan, "A Deontological Theodicy", has made this point about what I will call the restriction strategy below.

2 The Deontological Framework

Before considering the three deontological strategies, let me lay out the ethical tools I will be using. Since it will be convenient to use a certain deontological theory, I will presuppose Markosian's 'Rossian Minimalism'.⁸ On Rossian Minimalism, an agent's all-things-considered obligations emerge from the interaction of Rossian prima facie duties. The defining thesis of this view, as Markosian states it, is: "An act is morally right iff it minimizes prima facie duty violations by its agent" (7). I want to make two small adjustments to this formulation. First, like certain other philosophers, I prefer the term 'pro tanto' to 'prima facie' in this context.⁹ Second, I take it that Markosian thinks the rightness of an act does not merely *track* facts about pro tanto duties, but also obtains *in virtue of* facts about pro tanto duties. So, I will modify Markosian's statement of the view to read 'An act is morally right iff and because it minimizes pro tanto duty violations by its agent'.¹⁰

I will also embrace the traditionally deontological assumption that there are sometimes discrepancies between which actions an agent may or ought to perform, on the one hand, and which actions would have the best consequences, on the other hand. Following Scheffler, we can sort these discrepancies into two categories.¹¹

First, there are what Scheffler calls *agent-centered restrictions*.¹² These are "restrictions on action which have the effect of denying that there is any non-agent-relative principle for ranking overall states of affairs from best to worst such that it is always permissible to produce the best available states

⁸ Markosian, "Rossian Minimalism."

⁹ Ross, *The Right and the Good*, himself used the term 'prima facie duty', but expressed dissatisfaction with it.

¹⁰ I owe the useful locution "iff and because" to Joshua Spencer.

¹¹ Scheffler, *The Rejection of Consequentialism*.

¹² I will take no stand in this paper on exactly how Scheffler's agent-centered restrictions and prerogatives relate to similar notions discussed by other authors, e.g. Nagel, *The Possibility of Altruism*; and Parfit, *Reasons and Persons*.

of affairs so characterized" (2-3). For example, suppose you can prevent five other people from breaking promises only by breaking a similar promise of your own. Since promise-breaking is bad, the consequences of breaking your promise would be five times better than keeping it (*ceteris paribus*). But it's plausible that you are still not permitted to break your promise.¹³

In the context of Rossian Minimalism, the closest thing to what Scheffler calls agent-centered restrictions will be certain all-things-considered obligations that arise out of the interaction of an agent's *pro tanto* duties in a specific situation: namely, any such obligations which require an agent to bring about less than the best state of affairs she is able to bring about in that situation. So, for the purposes of this paper, I will simply stipulate that agent-centered restrictions are these all-things-considered obligations. Given this stipulation and the assumption that Rossian Minimalism is true, an agent is bound by an agent-centered restriction in a situation iff and because the agent is able to minimize her *pro tanto* duty violations only by bringing about a state of affairs that is less than the best state of affairs she is able to bring about in that situation.

Second, there are what Scheffler calls *agent-centered prerogatives*. An agent-centered prerogative is a moral prerogative "which has the effect of denying that one is always required to produce the best overall state of affairs" (5). For example, one might think it is permissible to spend a holiday bonus on entertainment instead of giving it to a good charity.

In the context of Rossian Minimalism, the closest thing to what Scheffler calls agent-centered prerogatives will be certain all-things-considered permissions that survive the interaction of an agent's *pro tanto* duties in a specific situation: namely, any such permissions which allow an agent to bring about less than the best state of affairs she is able to bring about in that situation. So, I will simply stipulate that agent-centered prerogatives are these all-things-considered permissions. Given this stipulation and the assumption that Rossian Minimalism is true, an agent enjoys an agent-centered prerogative in a situation iff and because the agent

¹³ Thanks to Pete Graham for this example.

can minimize her pro tanto duty violations by bringing about a state of affairs that is not the best state of affairs she is able (and perhaps also permitted) to bring about in that situation.¹⁴

Different moral agents can have different agent-centered restrictions and prerogatives with respect to the same state of affairs. For example, suppose I have a large sum of extra money that I could give to a charity, and you do not. If I gave the money to a certain charity, a great deal of suffering would be prevented. If you took the money from me without my permission and gave it to that same charity, the same suffering would be prevented, and I would forgive you for taking the money. So more harm would be prevented by giving the money to charity, whether you give it away or I do. Even so, you are not permitted to give the money away, because it is not yours to give. I think in this case you have an agent-centered restriction against giving the money to charity, while I do not.

In what follows, it will be useful to have a name for certain kinds of cases where different agents have different agent-centered restrictions and prerogatives with respect to the same state of affairs. When an agent has a prerogative to maximize value in ways that other agents are not permitted to, let's say that agent has a *maximizing prerogative*. And when an agent has an obligation to maximize value in ways that other agents are not permitted to, let's say that agent has a *maximizing restriction*. Now let's put these tools to work.

3 The Restriction Strategy

The first strategy for resisting (1) is what I will call the *restriction strategy*. It employs either agent-centered or maximizing restrictions to

¹⁴ The editor observes that, by my definitions, having an agent-centered restriction entails having an agent-centered prerogative, and this is a nonstandard way of thinking about prerogatives, since we ordinarily think we are free not to exercise them. Readers unhappy with my terminology are welcome to substitute 'agent-centered permission' (an alternative I owe to Ernesto Garcia).

argue that God is obligated to permit gratuitous evil. Let's consider conditionally gratuitous evil first.

3.1 *The Restriction Strategy and Conditionally Gratuitous Evil*

Just because an agent can prevent an evil without sacrificing a greater good, that doesn't mean she is permitted to. Arguably, agent-centered restrictions sometimes require agents to permit conditionally gratuitous evils, such as when one agent is not permitted to interfere with the poor and even destructive choices of another agent.¹⁵ So, it's conceivable that God might face agent-centered restrictions that require God to permit evil that is conditionally gratuitous.

Reitan defends this view.¹⁶ Moreover, he shows that one can pursue this strategy by modifying existing theodicies that, in their standard form, attack (2). Here is my preferred way of presenting his idea. Most theodicies consist of the conjunction of a metaphysical thesis (MT) and an axiological thesis (AT). Where 'E' names the evils that the theist is attempting to explain, and 'G' names the greater good or goods which are supposed to justify God's permission of E, a typical theodicy claims that:

(MT) For God, E is tied to G.

(AT) E is outweighed by G.

The standard story is that, if both of these theses are true, then God would be justified in permitting E. Reitan proposes to modify standard theodicies by replacing the axiological thesis with a corresponding thesis that I will call a 'restriction thesis' ('RT'):

¹⁵ Thanks to Brian Guiley, who first helped me to see this point.

¹⁶ Reitan, "A Deontological Theodicy". See also Little, *A Creation-Order Theodicy*; Haig, "A Deontological Solution"; Pierce, "Moderate Deontology"; and Mooney, "A Deontological Problem?".

(RT) Due to an agent-centered restriction, God is obligated to bring about G.¹⁷

By replacing the axiological thesis, AT, with the restriction thesis, RT, the theodist is relieved of the burden of challenging (2) and instead challenges (1).

Reitan illustrates his strategy with a 'neo-Kantian' modification of Swinburne's theodicy of moral evil.¹⁸ Let 'significant freedom' mean the ability to freely bring about a variety of states of affairs, ranging from the very good to the very bad; and let 'the risk of moral evil' mean the state of there being a non-trivial chance that serious moral evils will be committed. Swinburne affirms the following theses:

(MT-1) For God, the risk of moral evil is tied to significant freedom.

(AT-1) The risk of moral evil is outweighed by significant freedom.

Reitan documents severe criticism of AT-1, and proposes instead that God is obligated not to systematically intervene in human affairs to prevent humans from perpetrating horrors, even if our freedom is not worth the cost of the horrors.¹⁹ In effect, he suggests replacing AT-1 with the following restriction thesis:

(RT-1a) Due to an agent-centered restriction, God is obligated to give us significant freedom.

In defense of this thesis, Reitan argues that a divine policy of systematically interfering in the world to prevent moral evil would violate human dignity,

¹⁷ RT restates Reitan's (2**) in terms of agent-centered restrictions.

¹⁸ Swinburne, *Providence*.

¹⁹ Reitan uses 'horrors' and 'horrendous evils' in the sense of Adams, *Horrendous Evils*.

comparing it to a dystopian police state that coercively removes everyone's ability to commit murder. So, according to Reitan, God is obligated to adopt a policy of nonintervention.

Here is a second example of my own. Let 'soul-making' mean the process of people developing virtuous moral character out of initial moral immaturity, due in large part to their own choices. Let a 'vale of suffering' mean a realm of mixed value, including suffering like that of our own world in intensity and frequency. With this terminology in place, we can state the pair of theses to which the standard soul-making theodicy is committed:

(MT-2) For God, a vale of suffering is tied to soul-making.

(AT-2) A vale of suffering is outweighed by soul-making.

The traditional soul-making theodicy claims that the truth of these two theses is sufficient to justify God's permission of the evils in the vale of suffering. But the restriction strategist might propose exchanging AT-2 for this restriction thesis:

(RT-2a) Due to an agent-centered restriction, God is obligated to enable our soul-making.

There is something to be said for RT-2a. Human flourishing consists at least partly in our moral characters being perfected. Perhaps this is one reason why parents are obligated to train their children morally: to not spoil them, to teach them to get along with their siblings, to teach them good manners, etc. Maybe God has even greater responsibilities than human parents do to promote human flourishing, with the upshot that God is obligated to perfect the characters of fallen or morally immature creatures, even if this means placing them in a vale of suffering. Or, instead of an obligation to perfect us, perhaps God is bound by a kind of anti-paternalistic obligation to let us develop our characters in the direction of our own choosing, and a vale of suffering is the only environment that will

fully enable this choice.²⁰ Either way, I think RT-2a has at least some plausibility.²¹

3.2 *The Restriction Strategy and Unconditionally Gratuitous Evil*

Reitan's way of pursuing the restriction strategy targets conditionally gratuitous evils. But what about unconditionally gratuitous evils? Some evils strike us as unconditionally gratuitous.²² But what the restriction strategist should say about them depends on whether they also seem to be conditionally gratuitous (for God).

For those that do, the restriction strategist could say that the divine agent-centered restriction she posits is unique to God, and our intuitions that certain evils are unconditionally gratuitous are merely tracking the fact that they are unconditionally gratuitous *for us*. For example, a defender of RT-1a could say that, while God has an agent-centered restriction to risk certain evils for the sake of human freedom, we are not permitted to bring about those evils for that purpose, and we wouldn't be permitted to even if human freedom outweighed them. A defender of RT-2a could say the same about the evils involved in soul-making. Then the evils in question would be unconditionally gratuitous for us but not for God.

In defense of the idea that God has unique agent-centered restrictions not shared by any human being, the restriction strategist could

²⁰ Cf. Haig, "A Deontological Solution".

²¹ Mark Murphy points out that restriction theses like RT-2a are a bit odd in that they seem to be forbidding God from maximizing a certain value (the good for human beings) for the sake of promoting that very same value in a different way, and ultimately to a lesser degree. I think we can reduce this oddness by distinguishing facets of the good for human beings. What the restriction is doing is limiting God's freedom to maximize our physical and emotional good, at least for the time being, and instead requiring God to promote our spiritual good in certain ways. This sounds less paradoxical to me, though any agent-centered restriction will inevitably have some scent of paradox about it (Scheffler, *The Rejection of Consequentialism*).

²² As I argue in Mooney, "A Deontological Problem?"

remind us that many obligations and prerogatives are role-relative, being possessed only by those who occupy certain roles like the role of parent, police officer, or president.²³ In light of this observation, it's not outrageous to think that there might be obligations, and indeed agent-centered restrictions, that are possessed only by the agent that occupies the role of God of the universe.

What about evils which strike us as unconditionally gratuitous, but are not conditionally gratuitous - at least not for God? These evils strike us as impermissible even though - for God and perhaps for everyone else too - they are tied to outweighing goods. For example, one natural way to explain the fact that Swinburne's arguments for AT-1 in the final chapter of his book have intuitive force, and yet his critics remain unsatisfied, is that, although AT-1 is true, it is morally irrelevant, because at least some of the world's moral evils are impermissible despite being outweighed by the good of significant freedom. Similarly, one natural way to explain why soul-making theodocists have found AT-2 plausible, and yet their critics have been left unsatisfied, is that, while AT-2 is true, it is morally irrelevant, because at least some of the world's evils are impermissible despite being outweighed by the good of soul-making.

To deal with this suggestion, the restriction strategist might propose a different restriction thesis - one which features a maximizing restriction, such as one of the following:

(RT-1b) Due to a maximizing restriction, God is obligated to give us significant freedom.

(RT-2b) Due to a maximizing restriction, God is obligated to enable our soul-making.

I suspect that the considerations which lend RT-1a and RT-2a some plausibility also lend RT-1b and RT-2b some plausibility. If one of these

²³ McConnell, "Moral Dilemmas."

theses is true, then God will be obligated to permit evil of the sort that occurs in our world even if we have an agent-centered restriction against permitting it. In that case, the evils in question will be unconditionally gratuitous for us, but not for God. Then the restriction strategist could suggest that our intuitions that certain extant evils are unconditionally gratuitous are not tracking the fact that they are unconditionally gratuitous full stop, but rather the fact that they are unconditionally gratuitous *for us*.

3.3 *Evaluating the Restriction Strategy*

These sketchy remarks are no more than an outline of some ways that one might attempt to carry out the restriction strategy. But an outline affords enough material to say something about its prospects. I will consider two worries about the strategy: one which I think can be skirted without much difficulty, and another that poses a greater challenge.

First, some philosophers will object to the notion that God has moral obligations such as agent-centered restrictions, for it might seem inappropriate that a perfect being would be bound by external constraints, moral or otherwise.²⁴ But, following Reitan, I believe that everything I say about divine obligations could be recast in terms of the natural behavior of a morally perfect being. One could replace talk of God's all-things-considered obligations with talk of what it is necessary that God would do, given God's moral character. And one could replace talk of God's pro tanto obligations with talk of natural inclinations to behave in certain ways. Moreover, one could distinguish these natural inclinations from others (e.g. love-based inclinations) by positing that they have a distinct phenomenology, or perhaps a slightly different causal role in God's mental life. So, although it is convenient to speak as if God has moral obligations, the restriction strategist does not need to take a side on whether this is so.

Now for the most serious worry facing the restriction strategy. In order for God to have agent-centered or maximizing restrictions such as

²⁴ E.g. McCann, *Creation and the Sovereignty of God*.

those discussed above, God's pro tanto duties must balance out accordingly. But, in ordinary moral experience, just as there are cases where our pro tanto duties interact so as to generate obligations to permit gratuitous suffering, so there are cases where our pro tanto duties interact so as to generate an obligation to prevent gratuitous suffering. And surely, like us, God will have pro tanto duties of both sorts: duties to intervene and duties not to intervene. So, we have to face the question whether God's pro tanto duties will balance out such that a thesis along the lines of RT-1a and its counterparts is true - i.e., such that God was obligated to permit the world's suffering.

Prima facie, an affirmative answer to this question is doubtful. As we go through life, obligations to permit gratuitous evil seem to be the exception rather than the rule. True enough, sometimes our hands are tied. But not usually - and certainly not in the case of atrocities like those recounted by Dostoevsky's character Ivan Karamozov, as well as the other horrors which pepper the literature on the problem of evil. Pro tanto duties to prevent gratuitous evil often win out over pro tanto duties to permit it, which suggests that the former are very powerful. This should at least cast some doubt on ambitious restriction theses like RT-1a and its counterparts, which entail that God's hands are tied (so to speak) with respect to all the evil, or even just all the moral evil, in the history of the world.²⁵

4 The Prerogative Strategy

I turn now to a different strategy for resisting (1). Some theists have argued that a perfect being need not promote creaturely welfare, thereby dissolving a major reason for thinking that (1) is true.²⁶ We can cast this idea

²⁵ Cf. Tooley's argument featuring the balance of right-making and wrong-making properties in "The problem of Evil".

²⁶ Davies, *The Reality of God*; Murphy, *God's Own Ethics*; Rea, *The Hiddenness of God*, ch. 5. Rea applies the idea to divine hiddenness rather than evil. The connection I draw with Singer below is inspired especially by Rea's comments in the Q&A that follows Lecture 3 of his Gifford Lectures.

in an explicitly deontological mold by appealing to agent-centered prerogatives and maximizing prerogatives to argue that God has the prerogative to permit gratuitous evil. I will call this the *prerogative strategy*.

4.1 *The Prerogative Strategy and Conditionally Gratuitous Evil*

Let's begin with how the prerogative strategist might handle conditionally gratuitous evil. In one sense, the moral requirements that we have with respect to conditionally gratuitous evil are not very demanding. Within certain limits, it seems permissible for human agents to pursue their own, non-value-maximizing projects. And contra authors such as Singer and Unger,²⁷ reflection on ordinary moral practice and experience suggests that this license extends so far as to permit us to pursue our own projects even when our resources could have instead been devoted to alleviating, preventing, and campaigning against the world's multifarious evils. For example, it's plausible that I am not obligated to give all of my available money to famine relief or the like. Since sacrificing my personal projects seems to be a lesser evil than the suffering I could prevent by doing so, I suspect there is an agent-centered prerogative at work here.

The prerogative strategist could claim that, like us, God has an agent-centered prerogative to pursue God's own projects instead of always preventing the world's suffering. After all, even God will have projects that can be pursued - e.g. certain worlds that can be created - only at the expense of permitting conditionally gratuitous evil.²⁸ So, if morality gives us some wiggle room to pursue such projects, maybe it does the same for God.²⁹

²⁷ Singer, "Famine"; Unger, *Living High*.

²⁸ A point which has been made, e.g., by Rea, *The Hiddenness of God*.

²⁹ On the view that divine 'obligations' reduce to divine inclinations, the proposal would be that God has natural inclinations that track whatever sort of facts ground moral obligations for non-divine agents. But how can this be so in the case of agent-centered prerogatives, for isn't God inclined to do the best, when there is a best? (Thanks to Mark Murphy for this objection.) One possible response here (which I regrettably lack the space to explore) is to say that God really only performs one action: creating a possible world.

Ultimately, whether or not God has agent-centered prerogatives similar to ours depends on what Scheffler calls ‘the underlying rationale’ of agent-centered prerogatives.³⁰ If those prerogatives are morality’s way of accommodating human limitations, then presumably God won’t have them. But we cannot say that morality requires us to maximize the good as far as we are able to, given our limitations, for I just rejected that sort of view on the grounds that it clashes dramatically with ordinary moral practice and moral experience. Instead, the proposal would have to be that morality permits us to choose certain goods of lesser value over certain goods of greater value, and that human limitations explain why we are forced to choose between them in the first place.³¹

But notice that, on this version of the story, human limitations only explain why we are sometimes forced to choose between goods; we still lack a story about why, when we are faced with such a choice, we are sometimes permitted to choose the lesser good, even when this means permitting gratuitous suffering. For all we have seen so far, that story might entail that *any* agent that is sometimes forced to choose between goods is also sometimes permitted to choose lesser goods over greater goods.

Then, if there is no best possible world, there is no best action for God to perform, so God is not inclined to do the best.

³⁰ Scheffler, *The Rejection of Consequentialism*.

³¹ Might the relevant human limitations be limitations of perspective or point of view, rather than of power? For example, Scheffler argues that we each have a personal point of view from which we weigh our own projects more heavily than their impersonal worth, and this is what agent-centered prerogatives accommodate. But if Scheffler is right, I’m inclined to say that God probably has a personal point of view in the same sense that we do. Why not suppose that God places special value on certain personal projects unique to God’s role as creator, such as the project of creating and sustaining what I will below call a “world that matters”? In fact, there is independent reason to think that God values (in some sense) certain things out of proportion to their impersonal worth. For many theists think that there is no best possible world and that therefore God will need to use a different decision procedure when creating than one which simply aims to maximize value from what Scheffler calls the impersonal point of view. (Thanks to Mark Murphy and Wally Wirchnianski for pressing me on this issue, and to the latter for helpful discussion.)

For example, a number of authors have defended some version of the thought that the reason we are sometimes permitted to choose lesser goods over greater goods, when we are confronted with such a choice, is rooted in our personhood.³² The rough idea is that a full or natural expression of personhood requires the moral freedom to pursue personal projects with some amount of independence from their overall moral value, and morality secures this moral freedom for people by permitting them to sometimes choose lesser goods. This view seems to entail that any person who is forced to choose between greater and lesser goods may at least sometimes choose the lesser goods. And God is one such person, for God must choose between the alternative good possible worlds that could be created. Indeed, Michael Rea has applied Susan Wolf's version of this idea to God in pursuit of what I take to be a version of the prerogative strategy.³³

One might object that God's prerogatives need not extend to permitting the evil in our world in order to ensure that God's projects enjoy sufficient independence of moral demands. But something similar holds for human beings. I can imagine morality demanding much more charitable giving from the affluent to prevent gratuitous evil, while still leaving ample room to express their personhood. So, if there is a problem here, it seems to be a general problem about agent-centered prerogatives of the sort that we

³² Scheffler, *The Rejection of Consequentialism*; Williams, in Smart & Williams, *Utilitarianism*; Wolf, "Moral Saints." Wolf is not explicit about the application to agent-centered prerogatives, but it's at least a natural thought to have in light of her discussion. If Wolf's idea is taken as a rationale for agent-centered prerogatives, it turns out to be very similar to that of Williams.

³³ One qualification here. Rea uses Wolf's work to argue that God can permissibly and rationally pursue projects incompatible with promoting human welfare, but it's not clear whether he thinks the resulting human suffering is conditionally gratuitous. (This caveat applies to the attribution in n. 27 too.) This makes it unclear whether there is a divine agent-centered prerogative involved. But either way, his proposal could certainly be taken in that direction.

have, and not a special problem about extending those prerogatives to God.³⁴

As with the restriction strategy, the prerogative strategy can be pursued by restructuring traditional theodicies. For example, Swinburne contends that God might choose to create what I will call ‘a world that matters’.³⁵ Let ‘a world that matters’ mean a world where creatures have significant moral responsibility, because they can freely bring about states of affairs ranging from the very good to the very bad; they can dramatically affect how well or poorly things go in the world, both for themselves and for others; so a great deal is at stake in their choices and lives. For reasons that I do not have the space to pursue here, Swinburne contends that a world that matters will be one that contains natural evil and at least the risk of great moral evil, too.³⁶ The core of his theodicy can be captured in the following two theses:

(MT-3) For God, natural evil and the risk of moral evil are tied to a world that matters.

(AT-3) Natural evil and the risk of moral evil are outweighed by a world that matters.

The prerogative strategist could adapt Swinburne’s theodicy by proposing that God is justified in permitting the world’s evils, not because they are outweighed by the value of a world that matters, but instead because God has an agent-centered prerogative to create and sustain a

³⁴ Thanks to a referee for comments that improved the discussion in the last few paragraphs.

³⁵ Swinburne, *Providence*. Swinburne uses this locution (or something very close to it) occasionally in his work, but he doesn’t introduce it as a technical term in the way that I have done here.

³⁶ For a detailed defense of this thesis, including discussion of how it squares with traditional views about the afterlife, see Swinburne’s *Providence*.

world that matters. This would mean replacing the above axiological thesis with what we can call a prerogative thesis (PT):

(PT-1a) Due to an agent-centered prerogative, God is permitted to create and sustain a world that matters.

To see that PT-1a is plausible, suppose I want there to be more life in the universe, so I introduce primitive life on another planet, knowing that it will evolve into creatures like us in conditions much like those here on Earth. I remain on that planet and somehow live long enough to witness the evolution of moral agents there. But I don't devote all of my time, energy, and other resources to preventing and alleviating their suffering. Instead, I spend some of my time pursuing other projects, like scientific study of the biosphere that has evolved, or maintenance of its natural beauty.

My intuition about this case is that I have not done anything impermissible. It was not impermissible for me to introduce life on the planet, and, even though all the conditionally gratuitous suffering on that planet is at least indirectly causally downstream of my introducing life there, it seems to me that what is morally required of me with respect to the suffering of other agents in that planet's biosphere is not much different than what is morally required of me with respect to the suffering of many people and nonhuman animals around the world right now. Those moral requirements leave plenty of room for pursuing non-value-maximizing personal projects.³⁷ But there is an analogy between this case and creating and sustaining a world that matters. Among other similarities, in both cases an agent initiates processes that will result in a world with the same mix of value and disvalue as ours, and pursues projects incompatible with preventing gratuitous suffering that occurs causally downstream of

³⁷ This thought experiment is also a counterexample to Wielenberg's principle C in his "Intrinsic Value and Love". Another kind of case worth thinking about is that of releasing animals into their natural habitats.

initiating those processes. I think the analogy is strong enough to show that PT-1a is plausible.³⁸

4.2 *The Prerogative Strategy and Unconditionally Gratuitous Evil*

So far I have focused on conditionally gratuitous evils. But what about unconditionally gratuitous evils? First consider evils which strike us as unconditionally gratuitous but are also conditionally gratuitous (for God). Since it's possible for an agent to have an agent-centered prerogative to permit an evil E while another agent does not have a prerogative to permit E, the prerogative strategist can say that God has an agent-centered prerogative to permit those evils even when we find ourselves in circumstances where we do not.

What about evils which strike us as unconditionally gratuitous but are *not* also conditionally gratuitous (for God)? I'm inclined to think that the reason why Swinburne's theodicy strikes his critics as morally

³⁸ As a referee points out, one disanalogy that might be important is God's exhaustive foreknowledge or middle knowledge which would enable God to predict each gratuitous evil. The referee claims that, if I could predict the gratuitous evils that would result from introducing life on the planet, then I would be obligated to prevent those evils (either by intervening or not introducing life on the planet in the first place), and the same goes for God's creation of a world that matters. One way to address this worry is to embrace either open theism, on which God lacks exhaustive foreknowledge, or a stage view of foreknowledge, where God's foreknowledge is not able to inform God's providential decisions (discussed, e.g., in Hunt, "Divine Providence", and Zimmerman, "Simple Foreknowledge"). Another response is to deny that the disanalogy has the significance that the referee suggests. I'm not sure that I share the referee's intuition about this. I certainly don't think that agents must always avoid doing anything that they know will result in gratuitous evil that would not happen otherwise. On the assumption that many familiar cases of suffering are gratuitous – an assumption which I think many non-theists take for granted – this principle suffers counterexamples. Even though I'm confident that any children I might have would experience at least some gratuitous suffering in the course of their lives, I think I can have children. Even if I have detailed information about the specific suffering that would be prevented if I gave the entirety of my next paycheck to famine relief, I am not obligated to do that. And so on.

unsatisfying despite the fact that his arguments for AT-3 have considerable force is because, although AT-3 is true, it is morally irrelevant. Some evils are unconditionally gratuitous despite the fact that they are not conditionally gratuitous (for God). In that case, the prerogative strategist can appeal to a maximizing prerogative instead of an agent-centered prerogative. She could propose the following thesis:

PT-1b: Due to a maximizing prerogative, God is permitted to allow the evils that are required to create and sustain a world that matters.

If this thesis is true, then - once again - God will have the prerogative to permit suffering of the sort that occurs in our world even if some agents in some circumstances do not.

There is something to be said for these suggestions about how the prerogative strategist can handle unconditionally gratuitous evil. It's plausible that some of the evils around the world that we could prevent if we gave more of our income to charity, or spent more of our time fighting for social justice, etc., are unconditionally gratuitous. And since agents have the prerogative to pursue their own projects instead of devoting all of their available resources to preventing and ending these evils, they must be unconditionally gratuitous only relative to agents in certain circumstances, and not relative to everyone around the world whatsoever. And if they are not even unconditionally gratuitous relative to all human agents, it's not outrageous to think that they might not be unconditionally gratuitous for a uniquely positioned agent such as God, who alone faces the choice between a world that matters and a world that doesn't.

4.3 *Evaluating the Prerogative Strategy*

These sketchy remarks are no more than an outline of how one might attempt to carry out the prerogative strategy. But an outline affords enough material to say something about its prospects. I will consider two worries

about the strategy: one that I think can be rebutted, and another that poses a much greater challenge.

First, one might object that the prerogative which the strategist attributes to God is too extreme to be plausible. Surely any credible moral theory will entail that an agent who can end massive amounts of horrendous evil with minimal effort ought to do so. For example, if you could end all the suffering in the world by simply pressing a button, then you ought to do it. And you ought to do it even if it would require giving up some personal project. But then surely God, who could prevent all suffering from this moment forward without even so much as pressing a button, ought to do so, even if it means giving up some divine project.³⁹

I think the best response to this objection is to deny that you ought to press the button. For suppose that MT-3 is true. Then, pressing the button would mean transforming the world from a world that matters into a world that doesn't matter (in the technical sense introduced above). It would mean turning this world into a world where people don't do anything of great moral significance, such as a world where people spend most of their time plugged into pleasure machines.⁴⁰ When I take this feature of the case seriously, it no longer seems to me that I ought to press the button. Granted, God could dramatically reduce, without completely eliminating, the evil in the world.⁴¹ But if Swinburne is right, the world can matter to greater or lesser degrees, and any significant reduction in the world's horrendous evil would require a similarly significant reduction in the extent to which the world is one that matters. See, e.g., Swinburne's discussion of a "toy-world" in *The Existence of God*, 263-7. Were I in a position to do this to our world at the press of a button, it is not obvious to me that I ought to do so.⁴²

³⁹ Versions of this objection were put to me by Dan Dake and a referee.

⁴⁰ This case is inspired by cases from McCann's *Creation* and the final chapter of Swinburne's *Providence*.

⁴¹ Thanks to a referee for this point.

⁴² If we further limit the effects of pressing the button, this intuition gets weaker and weaker. But at the same time, our imagined situation becomes less and less like God's -

I see two ways to explain my intuitions about pressing these buttons, provided that they are correct. First, we could say that (i) a world that matters to the degree that ours does, but also has suffering comparable to ours, is less valuable than a world that matters much less, but has much less suffering; (ii) nevertheless, an agent in a position to choose between them has the agent-centered prerogative to choose worlds that matter more. Second – and this is my preference – we could say that (i) a world that matters as much as ours does, but also has suffering comparable to ours, is more valuable than a world that matters much less, but has much less suffering; and (ii) any unconditionally gratuitous evils in the former worlds are not unconditionally gratuitous relative to an agent who is choosing between those worlds. The agent has a maximizing prerogative to choose a world like ours. Either of these explanations suits the prerogative strategist.

Here now is the objection that I think poses the most serious problem for the prerogative strategy. Moral requirements to prevent gratuitous suffering are not the only reason many have thought that premise (1) is true. It is a truism in western monotheistic traditions that God loves us. But if God loves us, God would want to protect us from gratuitous suffering even if God was not obligated to. Love is a powerful motivator. Therefore, even granting the prerogative strategist everything she wants, there is still a powerful argument for (1).

The best place to resist this argument is to challenge the premise that, if God loves us, then God will protect us from gratuitous suffering even if God is not obligated to. There are different ways to do this. One could argue that God's love for us does not move God to protect us from gratuitous suffering because God is not *able* to protect us from gratuitous suffering. But given divine omnipotence, this suggestion has not been popular. One could instead argue that God's love for us does not move God to protect us from gratuitous suffering because God is not *permitted* to protect us from

which may suggest that we are entering territory where God has prerogatives that we don't – and moreover the prerogative that God would need in order to permissibly refrain from doing the equivalent of pressing the button becomes less and less extreme.

gratuitous suffering. I think this suggestion is more promising, and I will return to it in the next section. But for now I note simply that it is no part of the prerogative strategy to argue that God is not permitted to prevent gratuitous suffering; that is the burden of the restriction strategy.

The typical response from prerogative strategists is that God's love does not move God to protect us from gratuitous suffering because of the ways divine love differs from human love, either in its nature or in how it is manifested. But although defenses of this thesis by prerogative strategists are impressive, they are bound to leave some unsatisfied.⁴³ After all, it seems seriously conceptually strained to suggest that a being who permits people to suffer gratuitously and horrendously over long periods of time loves those people in any sense even distantly analogous to our notion of love. Rea ultimately falls back on skeptical theism to handle this strain, but I won't follow him there, as I am aiming for a theodicy.⁴⁴ So, the prerogative strategy could benefit from a better response to this objection.

5 The Restriction-Prerogative Strategy

We've now seen two strategies for resisting premise (1): the restriction strategy and the prerogative strategy. In this section I propose a third strategy for resisting (1) which combines the restriction and prerogative strategies, and I argue that combining these strategies dissolves the primary problem that each faces when taken on its own. I will call this combined strategy the restriction-prerogative strategy.

The restriction and prerogative strategies are compatible: it could be the case both that God is not obligated to prevent the gratuitous suffering in the world, as the prerogative strategy claims, and that God is obligated not to prevent that suffering, as the restriction strategy claims. So, to take a concrete example, suppose that a world that matters does not outweigh its suffering, and so the suffering it contains is conditionally gratuitous for

⁴³ Wielenberg, "Intrinsic Value."

⁴⁴ Rea, *The Hiddenness of God*, 88-89.

God. To account for this evil, the Restriction-prerogative strategist might endorse this prerogative thesis PT-1a from the previous section, and one or both of the restriction theses RT-1a and RT-2a. Roughly, the idea is that God has the (agent-centered) prerogative to create a world that matters, but there are still restrictions on how God can run that world.

Alternatively, the restriction-prerogative strategist might think, as I do, that the value of a world that matters does outweigh the evil it contains, so if there is anything right about dissatisfaction with theodicies like Swinburne's, it stems from the fact that some of the evil in a world that matters strikes us as unconditionally gratuitous. In that case, she might adopt a prerogative thesis such as PT-1b, and combine this with a restriction thesis such as one (or both) of the maximizing restriction theses RT-1b and RT-2b. Once again, the rough idea is that God has a prerogative to create a world with gratuitous evil, but there are restrictions on how God can run it. As I will now argue, this simple move of combining the two strategies dissolves the most pressing problem for each.

Recall that the problem for the restriction strategy was that, even if God is sometimes obligated to permit gratuitous suffering, it's likely that the pro tanto duties of non-intervention which undergird those obligations are often overridden by pro tanto duties to intervene, such that God is obligated to prevent more of the world's suffering than has been prevented. And the problem with the prerogative strategy was that, even if God is not required to prevent our suffering, God would do so anyway because God loves us. But I will now argue that, if God has the prerogative to permit the world's suffering, then it is plausible that God's pro tanto duties of nonintervention stand undefeated after all. Hence the problem for the restriction strategy is solved. And if those pro tanto obligations stand undefeated, then, however much God loves us, God cannot prevent our

suffering because God is not permitted to.⁴⁵ Hence the problem for the prerogative strategy is also solved.

The key to both solutions is the thesis that, given a divine prerogative to permit the world's suffering, God's pro tanto obligations to permit that suffering stand undefeated. I will defend this claim by returning to an earlier observation: reflection on commonsense morality and ordinary moral practice suggests that human beings are not required to devote all of their extraneous resources to preventing and alleviating the multifarious evils around the world. We have the prerogative to devote a great deal of our resources to pursuing leisure activities, the arts, business endeavors, and so on, even when we could instead be actively pursuing social justice, volunteering at soup kitchens, and donating more to famine relief, cancer research, crime prevention, etc. Let's explore this point for a moment.

Many of the evils which we could prevent or alleviate with our extraneous resources are probably either conditionally gratuitous for us or unconditionally gratuitous for at least some agents in some circumstances. So, the fact that we are not required to use all of our extraneous resources in this way must be due to agent-centered and/or maximizing prerogatives to permit gratuitous suffering. Suppose that I have a pro tanto duty to prevent certain gratuitous suffering, as well as the prerogative not to prevent it. Then I must also have a pro tanto duty that I can fulfill (or fulfill to a greater degree) only if I do not prevent that suffering. For suppose I didn't. Then my choice is between (i) fulfilling the pro tanto obligation to prevent the suffering plus whatever other pro tanto duties I may have, or (ii) fulfilling only the latter. In that case, I can minimize my pro tanto duty violations only by preventing the suffering. So, on Rossian Minimalism, I am obligated to prevent the suffering. And if I am obligated to prevent the suffering, then I do not have the prerogative to permit it.

⁴⁵ I take it this has always been the restriction strategist's explanation for why God's love does not move God to protect us from suffering. E.g. see Reitan's closing flourish, "God can only weep and wait" in his "A Deontological Theodicy".

Therefore, any agent who has a prerogative not to prevent certain gratuitous suffering cannot also have a pro tanto duty to prevent that suffering unless she has some contrary pro tanto duty as well to balance it out. But in many cases where we have a prerogative not to prevent suffering (like when we have a prerogative not to give to famine relief), it is doubtful that we have such contrary pro tanto obligations. For when we are not obligated to prevent gratuitous suffering that we are able to prevent, we are often permitted to engage in morally unimportant projects and leisure activities instead. In many such cases, it is plausible that the only reasons I have not to prevent suffering are whatever reasons I have to pursue those projects or leisure activities. And surely those reasons do not have the moral weight of pro tanto obligations—much less pro tanto obligations that would intuitively balance out a pro tanto obligation to prevent gratuitous suffering.

This suggests that the reason we have a prerogative not to devote all of our available resources to preventing the world's evils is *not* that, although we have a pro tanto duty to do so, that duty is counterbalanced by other pro tanto duties. Rather, the reason is that we have no pro tanto duty to use our resources that way in the first place.

We can test this proposal by considering cases where it is plausible that agents are not required to prevent gratuitous suffering that they are able to prevent: e.g. supererogatory levels of charitable giving, volunteer work, pursuit of social justice, etc. If I'm right that agents often do not have even a pro tanto obligation to do these things, then it should be easy to generate an all-things-considered obligation *not* to prevent the suffering in these cases by simply adding a relatively unimportant contrary pro tanto obligation to the case, for then I could minimize my pro tanto duty violations only by not preventing the suffering.

And it turns out, we are able to do precisely that. For example, however much I may want to give my latest paycheck to famine relief, I think I am obligated not to if I have solemnly promised it to a friend to help her start a business. Or however much I want to work in a soup kitchen today, perhaps motivated by a love of humanity, I ought not to if it would

make me two hours late to work (and I have not gotten permission to be late, etc.). And so on. This seems to confirm that, although we have moral reasons to prevent gratuitous suffering that we are not obligated to prevent, nevertheless, we do not have even a pro tanto obligation to prevent it.

The prerogative strategist should say the same about God. God has the prerogative to allow the suffering that has occurred in the history of the world, not because God has pro tanto obligations to prevent that suffering that are counterbalanced by other pro tanto obligations, but rather because God has no pro tanto obligations to prevent that suffering in the first place.

And now it is clear that the pro tanto duties posited by the restriction strategist will stand undefeated. For if indeed God has no pro tanto duties to prevent the suffering in the history of the world, and God has pro tanto duties to permit that suffering, then God can minimize God's pro tanto duty violations only by permitting the world's suffering. By permitting that suffering, God can satisfy both the restriction strategy's pro tanto duties, and any other pro tanto duties God has. Whereas, by preventing the world's suffering, God satisfies at most only the latter.

Since God's pro tanto duties to permit suffering carry the day, the problem for the restriction strategy is solved. And since this means that God is obligated to permit the world's suffering, the prerogative strategist's problem is solved, too. For however much God's love may motivate God to prevent the suffering that befalls us, God cannot do so, because God is obligated not to. So, it looks as though we can solve the problems facing the restriction and prerogative strategies by simply combining them.

I offer the Restriction-Prerogative strategy for resisting the argument that opened the article: leave (2) alone, and target (1) instead. But don't do this by pursuing either the restriction strategy by itself, or the prerogative strategy by itself. Instead, combine them. For while each strategy by itself is unpromising, by employing them together, the theist may be able to solve the problem of evil.⁴⁶

⁴⁶ Thanks to Dan Dake, Louise Antony, Ernesto Garcia, Pete Graham, Patrick Grafton-Cardwell, Joe Greene, Mark Murphy, and various referees for comments on earlier drafts.

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