

# Why Shouldn't I Lie? Ten Preliminaries

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## Abstract

I introduce the reader to the character and complexity of lying, in terms of how the lie should be defined as a particular type of intentionally deceptive utterance, whether or not the deceiver succeeded in that aim, and examine how we might usefully avoid prejudging the justifiability of the lying utterance when compared to alternative forms of intentional deception and the overall outcome sought.

The topic of lying and deception is a fascinating and far-reaching one, not just for academic reasons but also for its potential relevance to everyday life and situations. My opening question, *Why Shouldn't I Lie?*, is provocative for good reason. We typically suppose that lying is wrong, but should we not be *permitted* to lie in exceptional circumstances, or sometimes even *required* to lie? In this short introduction, I aim to uncover some important preliminaries and identify some key areas of contention.

1. To lie is to assert contrary to that which one believes. As such, the deceiver sets up a dual expectation in the hearer or intended audience. Firstly, that he should want his audience to believe that *p*; and secondly that he should himself be taken to believe that *p*. Whether or not the deceiver should succeed in his deception does not tell against the fact that he lied; *the lie is in the trying*. For example, if the deceiver, unbeknownst to him, happened to be wrong about the matter about which he lied, so ended up telling the truth instead, that would not tell against the fact that he intended to deceive. We are often wrong about things we take ourselves to know, and some are more fallible than others; *but still we can all lie*.

2. Lying is a linguistic act of intentional deception, but there are other types of intentional deception. Non-lying linguistic deception achieves its end without resort to asserting contrary to that which one believes. Given the versatility of language and sophistication of context, a hearer can be duped by the deceiver when an inference is drawn, and could reliably have expected to be drawn, from an utterance that stops short of a lie. Suppose my partner is in the kitchen and you ask me whether she is in the bathroom or the garden. I reply that she is not in the bathroom, thereby making you believe (by inference) that she must be in the garden. Since only two options were given by the questioner and I denied only one of them, the hearer would be entitled to infer the other part of the disjunct was true, or at least taken to be so by me. Otherwise, I would have disclosed that relevant detail – unless, of course, I intended to deceive without resort to lying.

3. But intentional deception can also be carried off without any utterance whatsoever. If I leave my packed bags outside for you to see, intending that you will draw the conclusion that I am going away, whereas nothing of the sort is the case, then I have intended to deceive you. But no utterance was required, only the fulfilment of an expectation in the mind of a passerby when observing a particular arrangement of bags in relation to a front door.

4. These ways of classifying intentional deception – as a lying linguistic utterance, a non-lying linguistic utterance, or a non-lying non-linguistic misleading episode – should help us to clarify our intuitions about what the supposed wrongness of lying consists in. That is not to say that moral intuitions don't vary. In 'A Supposed Right to Lie from Benevolent Motives' (1797), Kant insists that we are duty bound to avoid lying to an assassin even though we do not wish to turn over to him a friend whom we are sheltering in the house. However, the explanation given by Kant is not that lying is intrinsically wrong, but that if we turned out to be wrong in our lie – such that the intended victim fled the scene and ended up crossing the path of the assassin we had sought to lead astray – then we could with justice be blamed for that occurrence. But isn't this rather a fantastical scenario? Shouldn't we rather be duty bound to do what is right, to deter the assassin, given the balance of probability that the intended victim is going to remain in the house? Perhaps, Kant would rather have conceded the need to deter the assassin, on the balance of probabilities, but without the resort to a lie? One could contrive a response in which one asserted, "He is not here," whilst simultaneously putting one's foot forward and hoping that the assassin did not cotton on the fact that one meant by "here" not the house but the spot under one's foot. This kind of contrivance is analogous to the Catholicist tradition of "mental reservation", by which an utterance is qualified in the mind of the hearer but not spoken out loud. But is this resort to intentional deception without resort to lying morally better than barefaced lying? To the contrary, if one took oneself to be justified in the deception, why then not used the most reliable resort to achieve that end, without risk of misconstrual of the literal meaning of the utterance by the assassin or through use of a qualifier? This is the outlook favoured by Henry Sidgwick in the *Methods of Ethics* (1874): "[I]t should be

universally understood and expected that those who ask questions which they have no right to ask will have lies told to them.”

5. The foregoing consideration takes us to the heart of the matter regarding the justifiability or otherwise of lying. Benjamin Constant (1767-1830) and Hugo Grotius (1583-1645) say that it is permissible to make an intentional untruthful declaration to somebody when that person has no right to the truth, but that one does not lie in doing so. Instead Sidgwick would not deny that one had lied, but would simply classify it as a *justifiable* one. I agree that it is more instructive for us to define a lie in terms of asserting contrary to that which one believes, without prejudging whether or not one was justified in that, than to say that a lie is never justified or that a deceptive utterance to a murder who deserved to be misdirected cannot have been an instance of one.

6. Other things being equal, e.g. in the reliability of effect, is it not still possible that lying is generally worse than non-lying linguistic deception as a means of intentional deception, when both are taken to be justified? The lack of moral equivalence here might result from an additional, consequential reason to do with the undermining of a linguistic practice that relied upon strict truth-telling for the conferment of all the benefits supported by that practice. This makes some sense, for if lying became too widespread, such that we could no longer count on truth-telling for the most part, then the justifiability of the lying utterance in a single case would be defeated by the deprivation of goods, objects and ends that were otherwise guaranteed when we were able to rely upon taking people at their word and only at their word (or nearly always). This is to recognise that lying can only work, and is most efficient, in a context of general truth-telling. In the same way that a serial liar becomes not to be believed in general, a culture of lying would negatively impact upon our ability to form and attain interpersonal goals.

7. It can be argued, moreover, that lying is not even intrinsically bad in certain situations and contexts, in general, and that we are able to allow for this. Think, for example, of the *white lie* or the *medicinal lie*. The former is considered relatively inconsequential, an act of harmless flattery directed at your boss's tie or wife's necklace, for instance, when you actually find their attire somewhat garish. The latter may correspond to the desire of the doctor not to frustrate the prospect of recovery by concealing from his patient the full diagnosis, in order not to induce stress or anxiety which might itself inhibit progress. It could, however, be argued that these are not cases of lying being intrinsically allowed but rather consequentially justified in spite of their *prima facie* wrongness.

8. Aren't there further reasons, of a moral sort, for us to want to discourage lying in general? Joseph Kupfer in 'The Moral Presumption against Lying' (1982) develops a two-part theory, which I think chimes well with our intuitions. Firstly, when we intentionally deceive, and succeed in this aim, we are generally seeking to get the deceived to conform to our will or plans when he wouldn't have had he been availed of the truth, or at least our reckoning of it. Kupfer says, "The first inherent disvalue is the immediate restriction of the deceived's freedom." Is it not quite

correct to say that our taking exception to being on the receiving end of intentional deception has to do with being treated solely as a means, and not at the same time as an end in itself? Even if one might have consented to the plan of the deceiver, voluntarily, that opportunity has not been given, but denied. Secondly, there are harms associated with the act of lying for the deceiver, which if lying became habitual, would damage the integration of his character. Kupfer says, "The second inherent disvalue found in lying is the self-opposition or internal conflict involved in speaking what one disbelieves."

9. Time to test our preliminary assumptions by encouraging reflection on a couple of high profile examples from recent political history. When Clinton was questioned over his affair with Lewinsky for the presumed sake of upholding the dignity of the office of the President of the US, should we not question the means which was used to hold him to account? Whatever the rights or wrongs of Clinton's extra-marital misdemeanour, should he not have been spared that very public – on global, live television – interrogation of his private life? In the event, by answering, "I did not have *sexual relations* with that woman, Monica Lewinsky," did not Clinton answer as ingenuously as he found fit? Firstly, he arguably did not lie, for he neither affirmed nor denied having extra-marital sex, but he did choose (notoriously) to use terms to express his denial which resulted in extensive debate about what he actually *did mean*, for example, that it was not a serious relationship and nor was it, therefore, a sexual relationship either. Certainly, his answer may be found evasive and multiply interpretable, but therein lies another interesting feature. For those who might have taken themselves to have already known, or subsequently found out what they wanted to find out, but arguably had no right to know, then Clinton left them with license to construe his remarks consistent with that finding. Yet for those who might have taken themselves to have *no business* in questioning Clinton over his sex life, they could have construed it as charitably as they saw fit. Clinton could thus have reconciled his external statement with a private interpretation that was internally consistent with what he knew, whilst avoiding the mental conflict associated with the barefaced lie.

10. Finally, item ten, the subject of what happened in 10 Downing Street in the build-up to the Iraq war. In February 2003, Colin Powell presented a UK intelligence briefing to the UN as authoritative "facts and conclusions based on solid intelligence". However, this briefing, whilst credited to the UK intelligence services, was subsequently discovered to have been plagiarised, in large part, from a PhD thesis, and, moreover, contained key phrases changed to make for more sinister reading. What kind of deception does plagiarism consist of? Clearly, this was an instance of lying deception, since the withholding of proper sources, whilst claiming another, is falsification of the true authority of the report and its provenance, disclosure of which would have damaged its credibility, and could have known to have. The utterances in this case were linguistic, on the printed page, and designed to support a highly controversial pretext for going to war. Blair himself, when questioned on TV, answered tellingly, "Even if I'm the only person left saying it, I'm going to say it... I may be wrong in believing it, but I do believe it." (BBC, 6 Feb 2003) Unfortunately, such an admission only betrayed an unpreparedness to counsel

evidence that would probably defeat Blair's preferred judgment. We don't generally admit to the possibility of our beliefs failing to track the truth in the way Blair did here, *unashamedly*. For sure, we could be wrong, but we want to make sure, on such a consequential matter, that we take in all relevant considerations and evidence, that we test our assumptions and prior reasoning, to arrive at the best conclusion, even if that meant overturning our deeply held conviction. To do otherwise would be to risk going to war on a false pretext in spite of contrary indications aplenty. None of this is to doubt Blair's sincerity, but it is to question whether he was acting in denial, by leaving himself culpably ignorant (and therefore to question the value of sincerity). There's more to honesty than sincerity; and more to telling the truth than by not lying. But therein lies further intrigue, for another time.

I hope to have given some helpful introduction to the character and complexity of lying, in terms of how the lie should be defined as a particular type of intentionally deceptive utterance, whether or not the deceiver succeeded in that aim, and how we might usefully avoid prejudging the justifiability of the lying utterance when compared to alternative forms of intentional deception and the overall outcome sought, perhaps under duress. We then found greater reason to despair of the utterances of Blair in going to war than Clinton in cheating on his wife. Perhaps had they both lied we would have better known where we stood with them?

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