

Postgraduate Journal of Aesthetics, Vol. 1, No. 2, August 2004

CONCEPTUAL ART, SOCIAL PSYCHOLOGY, AND DECEPTION

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ABSTRACT

Some works of conceptual art require deception for their appreciation—deception of the viewer of the work. Some experiments in social psychology equally require deception—deception of the participants in the experiment. There are a number of close parallels between the two kinds of deception. And yet, in spite of these parallels, the art world, artists, and philosophers of art, do not seem to be troubled about the deception involved, whereas deception is a constant source of worry for social psychologists. Intuitively, each of these responses might seem appropriate for its sphere, but it is not easy to see what grounds these intuitions. I try to come up with some answers.

I

Some experiments (indeed the majority) in social psychology require deception. Stanley Milgram's obedience experiments are perhaps the most famous example, where participants were deceived into believing that they were involved in a learning test, giving real electric shocks to people, when in fact they were involved in experiments on obedience, and the shocks weren't real.¹ In one of J. M. Darley and C. D. Batson's experiments, seminarians were

¹ See especially Stanley Milgram, *Obedience to Authority: An Experimental View*, New York: Harper and

induced to believe that one of their number, whom they encountered in a walk across the campus to give a talk, was seriously ill, when in fact he was not, and in fact they were, unknown to them, part of an experiment in Samaritanism—the study of people’s helping behaviour.² The deception was so effective that one of the seminarians, on his way to give a talk on the parable on the Good Samaritan, actually stepped over the prone body of what he thought to be his suffering colleague.

It’s a little observed fact that some works of conceptual art also involve deception.³ Here are two examples.

In September 2002 invitations were sent out to members of the art scene to attend the opening of the £500,000 extension of the Lisson Gallery in Bell Street in London. When the guests turned up, ready for their champagne and canapés, what they found instead was that the whole of the front of the gallery was boarded up by a large expanse of corrugated iron, with no means of entrance. The guests were at first puzzled, and then many of them became angry and frustrated at being shut out. Finally, the artist, Santiago Sierra, emerged and told them that this *was* the exhibit, called *Space Closed by Corrugated Metal*. Sierra is quoted in *The Guardian* as saying: ‘It was part of a broader work which is a commentary on frustration at not being able to get in somewhere for economic or political reasons.’ *The Guardian* continues: ‘It was prompted by events in Argentina, where, following the collapse of the peso, banks pulled corrugated sheets across their buildings to stop people from withdrawing their savings’.⁴

The second example is by a group that are now called the Leeds 13: thirteen students in their third year of Leeds University’s Fine Arts Course. They managed to raise about £1,600 in grant

Rowe, 1974. I discuss Milgram’s experiments in some detail in my *The Emotions: A Philosophical Exploration*, Oxford: Clarendon Press, 2000. For discussion of deception in social psychology, see, for example, A. Ortmann and R. Hertwig, ‘Is deception acceptable?’, *American Psychologist* 52, 1997, pp. 746-7.

² See their “‘From Jerusalem to Jericho’”: a study of situational and dispositional variables in helping behaviour’, *Journal of Personality and Social Psychology* 27, 1973, pp. 100-8. I discuss this experiment in my *On Personality*, London: Routledge, 2004.

³ As will emerge, there is a particular kind of deception in art which interests me here—the kind which has close parallels with deception in social psychology. I will not be concerned with other kinds of deception in art, such as *trompe l’oeil*, Duane Hanson’s lifelike figures, and the use of the unreliable narrator by writers of fiction.

⁴ *The Guardian* October 11, 2002.

and sponsorship money, including £1,126 from the university's student union, for their fine art degree project, which they titled *Going Places*. Quite what the artwork was going to be was a mystery to the sponsors. A week after the money had been raised, at the appointed time for the exhibition of the work, The Yorkshire Evening Post tells us what happened: 'Tutors and other guests [including sponsors] at the opening of the Going Places exhibition at the East Leeds Studios arrived to find a bottle of sangria, drinking glasses, a stereo playing guitar music and a drama student dressed as an air hostess with a megaphone.' Then a coach took the perplexed guests to Leeds Bradford Airport, where they witnessed the students, tanned and relaxed, coming through customs, apparently after a week in the Costa del Sol at the sponsors' expense. The student union demanded its money back, saying that it had 'been misled'; and another sponsor said 'I feel I have been duped and I want my money back'.⁵ (In fact, there was a double deception: the students hid in their flats for a week, and got their tans from a tanning machine; there was no holiday.)

These two works of art—let's from now on think of them, the artworks, as performances⁶—have more in common with the two experiments in social psychology than just the fact that they involve deception. Their success (as artwork, as experiment) depends on the success of the deception. The deception is intentional and is carefully planned and executed. The deception gives rise to potentially very strong emotions in those who are deceived. When wised up to the deception, those who are deceived realise these emotions to be unfounded. As a result of these emotional experiences, and of being wised up later, those who are deceived can find out troubling things about themselves: how gullible they are; how obedient they are; how quick they are to pompous and self-righteous anger; and so on.

And yet, in spite of these parallels, the art world, artists, and philosophers of art, don't seem to be at all troubled about the deception involved, whereas deception is a constant source of worry for social psychologists. Each of these responses might seem intuitively appropriate for its

⁵ For reports, see the 'official' Leeds 13 website:

http://www.leeds.ac.uk/fine_art/arch/show/1998/goingplaces/index_frame.html

⁶ For the idea that all works of art are performances, see David Davies, *Art as Performance*, Oxford: Blackwell, 2004.

sphere, but it is not easy to see what grounds these intuitions.

II

In order to make progress here, we need to think more about the following questions. Is there something ethically wrong with the conceptual art performances? If so, what is wrong about them, and is it a different kind or degree of wrongness to what's wrong about the social psychology experiments?

One easy answer, which has, as Bertrand Russell puts it, all the advantages of theft over honest toil, is to say that artists have free rein—they can't do anything wrong ethically in the practice of their art: as artists they are, unlike the rest of us, exempt from ethical criticism. So there can be nothing wrong with the conceptual art performances. One might add to this the thought that, in contrast to the ethically 'free' artist, it is entirely appropriate for scientists, working in an institution such as a university, to have strict ethical rules controlling their deceptions. This would explain our intuitions. But, as it stands, I think that this answer is question-begging, although I will return to it at the end, and see if a fairly distant relative might have something going for it.

Another possible answer would lead to the conclusion that we're mistaken to have the intuitions that we do have. There is, according to this answer, an absolute prohibition against deception. The fact that an action involves deception is an ethical reason against doing that action, and this reason operates as a side-constraint, as we might say that the duty not to lie and the duty not to torture are side-constraints: one shouldn't lie or torture people under any circumstance, whatever good may follow from it.⁷ Thus both conceptual artists and social psychologists should not only be worried about their deception, they should avoid deceiving people at all costs—whatever aesthetic or scientific benefits may follow from the deception. I can't argue for it here, but I think this view is incorrect about deception in general: an act of deception should be permissible where it causes no harm, particularly to the person deceived,

⁷ See Robert Nozick, *Anarchy, State, and Utopia*, Oxford: Blackwell, 1974.

and it may even be the right thing to do where it promotes the good of the person deceived (as a ‘white lie’ might) or where it does good more widely.⁸

However, in both the conceptual art performances and the social psychology experiments, harm *is* caused or is likely to be caused to those deceived. Both caused strong negative emotions in the people deceived, and, in the conceptual art performances as much as in the scientific experiments, these were real-life negative emotional responses to what was taken to be real-life situations: they weren’t what some have called ‘quasi-emotions’ of the kind we have in response to fictions (as when we feel grief at the suicide of Anna Karenin)⁹, nor were they simply feelings of aesthetic displeasure or distaste. So in this respect, in respect of the kind and degree of harm caused, the conceptual art performances are no different from the experiments in social psychology, and we have not yet found a satisfactory explanation of why our intuitions come up with diverging answers.

Let’s try another way of thinking about deception: that, in those circumstances where an action’s being a deception is an ethical reason against that action, the reason operates, not as a side-constraint, but as a pro tanto reason.¹⁰ A pro tanto reason is a reason that is to be ‘weighed’ against other opposing reasons. For example, the fact that undertaking a long journey by car is tiring is a pro tanto reason against it, and this reason could be ‘outweighed’ by the fact that undertaking the journey will afford me the pleasure of seeing my girl friend; so all things considered the right thing to do is to undertake the journey. (I place ‘weigh’ in scare quotes because it must be remembered that the notion of weighing is a misleading metaphor: there is no single scale or measure of ‘weight’ that can be attached to all kinds of reasons, as some utilitarians believe.) So the fact that deception is involved in a conceptual art performance, and the fact that this deception causes or is likely to cause harm to those deceived, is a pro tanto ethical reason not to do the performance, but this reason can be ‘outweighed’ by other

⁸ For discussion, see Bernard Williams’ *Truth and Truthfulness*, Princeton: Princeton University Press, 2002, especially Chapter 5.

⁹ See for example Kendall Walton, ‘Spelunking, Simulation, and Slime: On Being Moved by Fiction’, in *Emotion and the Arts*, eds M. Hjort and S. Laver, New York: Oxford University Press, 1997, pp. 37-49.

¹⁰ See W. D. Ross, *The Right and the Good*, Oxford: Oxford University Press, 1930.

opposing reasons, such as, for example, the aesthetic merit of the performance.

It is worth noting at this point that this seems to be how the American Psychological Association (the APA) sets things up in its code of ethical principles, in the section on deception and research. Whilst there is a clause that absolutely prohibits deception which is likely to cause ‘physical pain or severe emotional distress’, there is also the following clause: ‘Psychologists do not conduct a study involving deception unless they have determined that the use of deceptive techniques is justified by the study’s significant prospective scientific, educational, or applied value and that effective nondeceptive alternative procedures are not feasible.’¹¹ So it seems that social psychologists have procedures to ensure that the ethical reasons against their deceptive experiments are ‘outweighed’ by the opposing scientific or educational benefits. Now, are artists and the artworld justified in their apparent confidence that no such care need be taken with regard to performances of conceptual art which involve deception? Can they be sure that the potential aesthetic value of the performances of the works is clearly so great that it will always ‘outweigh’ the harm done as a result of the deception? Affirmative answers here are far from obvious. At this point we need to look in more detail at the relation between ethical and aesthetic values.

III

There is a general question in aesthetics, as to whether the ethical properties of an artwork impinge on its aesthetic value. This is usually discussed, and contested, in the context of the ethical properties of an artwork that are part of the content of the work—part of the artistic statement. For example, Berys Gaut has defended what he calls *ethicism*, according to which, ‘if a work manifests ethically reprehensible attitudes, it is to that extent aesthetically defective’¹²; in other words, ethically reprehensible attitudes count *pro tanto* in an *all-things-considered*

¹¹ For the APA’s Ethical Principles and Code of Conduct, see their website, <http://www.apa.org/ethics/>

¹² In ‘The ethical criticism of art’, in *Aesthetics and Ethics: Essays at the Intersection*, ed. J. Levinson, Cambridge: Cambridge University Press, 1998, pp. 182-203, at p. 182. For an overview, see Peter Lamarque, ‘Reflections on current trends in aesthetics’, *Postgraduate Journal of Aesthetics* 1, pp.1-9.

aesthetic judgement. Thus, because Leni Riefenstahl's *Triumph of the Will* manifests an 'ethically reprehensible' approval (or rather adoration) of Hitler, the work is to that extent *aesthetically* defective. It has been argued by others (including me), against ethicism, that the aesthetic value of some works of art is, in fact, *increased* rather than reduced by the ethically reprehensible attitudes manifested in the work, although *Triumph of the Will* is surely not one such work.¹³

We now have to ask ourselves whether or not the deception involved in our conceptual art performances is part of the works' content, and whether the deception could have aesthetic merit. Let's first consider Sierra's *Space Closed*; I will turn to the Leeds 13 performance later. In Sierra's piece, the answer would seem to be that the deception is not part of the work's content: the work—the performance—was about 'not being able to get in somewhere', and the deception was part of the medium by which Sierra articulated this artistic statement.¹⁴ However, our aesthetic appreciation of an artwork can, and typically does, extend beyond appreciation of the work's content. For example, our appreciation of Van Gogh's *Sunflowers* can include appreciation of the way in which Van Gogh worked the oils on the canvas to achieve his intended effect, but this working of oils is not part of the content of the work.¹⁵ Similarly here, we can appreciate the way in which Sierra set about his deception in order to achieve his audience's feelings of frustration at not being able to get in somewhere. So I think that the deception involved in Sierra's performance isn't a reason at all for downgrading our all-things-considered *aesthetic* judgement of the work. On the contrary, the fact that a deception—a successful deception, achieved with considerable panache, and with what one might properly call artistic skill—is involved in the performance is an aesthetic *merit*, *increasing* the aesthetic value of the performance. (It would be another matter if the deception were not necessary to the performance, or if the deception were clumsily executed.)

¹³ See M. Kieran, 'Forbidden Knowledge: The Challenge of Immoralism', in J. Bermúdez and S. Gardner (eds.), *Art and Morality*, London: Routledge, 2002, and my 'Narrative, Emotion and Perspective', in *Imagination, Philosophy and the Arts*, M. Kieran and D. Lopes eds, London: Routledge, 2003, pages 54-68.

¹⁴ See the very helpful discussion of this in his *Art as Performance*, especially in Chapter 3.

¹⁵ This is, as Davies points out, closely related to Richard Wollheim's discussion of the 'twofoldness' of our interest in artworks: see *Art as Performance* pp. 55-6.

If this is right, then we really do have a substantive difference of principle between the ways in which deception enters into our evaluation of Sierra's performance as compared with our evaluation of the two experiments in social psychology. In the latter, deception is always only an ethical demerit, and cannot in itself be of any scientific merit, whereas in this conceptual art performance, deception is both an ethical demerit *and* an aesthetic merit.

We might, then, finally be in a position to see at least part of what grounds our intuitive responses to the deceptions of, on the one hand, conceptual artists, and, on the other hand, social psychologists. When Santiago Sierra reflected with pride on his deception and its effectiveness, he was right to do so: his emotion was appropriate to its object, for the deception was indeed an aesthetic merit of the way he effected his artistic statement. Whereas if a social psychologist were to be proud of his deception, we would think it inappropriate, for there is nothing scientifically meritorious about a deception as part of a scientific experiment: it can at best only be an ethically undesirable means to a scientifically good end. And if we were to laugh at the poor seminarian who stepped over his prone colleague whom he thought to be suffering, our laughter would be inappropriate in the context of such an experiment. (And that is not to say that laughter here isn't both human and understandable.)

So we can now also see what was perhaps appealing about the theft-over-honest-toil explanation that I put to one side. It's not the artist's having free rein, and the psychologist's being part of an institution, that grounds our intuitions. Rather, it's the fact that, for a scientist, a deception cannot have merit of any kind, scientific or aesthetic, whereas, for an artist, it can have aesthetic merit. The deception involved in conceptual artworks like Sierra's is very much like the deception involved in a good April Fool joke: the deception adds to the aesthetic merit of the performance, in the one case the artwork-as-performance, in the other case the joke-as-performance.

IV

The analogy with the April Fool joke brings out another respect in which the deception in Sierra's conceptual art performance is unlike the deception in the social psychology

experiments—a respect in which the conceptual art deception is ethically not as bad, even if the negative emotions which it causes are roughly of the same order. Although we might doubt the universality of Kant’s famous dictum, not to treat people ‘merely as a means’, the dictum has considerable grip where people are used as means towards some greater good of which they are, at best, only a remote part.¹⁶ And, in the social psychology experiments, this seems to be very much what is going on: the participants are being deceived—‘used’ one might say—as a means to the greater ‘cause’ of science; and the fact that they are called ‘participants’ these days, rather than ‘subjects’ as they were called in Milgram’s days, changes nothing. But, in Sierra’s work things are different: the viewers are not being deceived or ‘used’ in the greater cause of art; rather, their feelings of frustration, and, later, of being undeceived, is part of what is involved in *their own* overall appreciation of the conceptual art performance qua artwork.¹⁷ And this is equally part of what’s involved in a successful April Fool joke: afterwards the person on whom the joke is played, with hindsight, delights in the ingenuity of the deception, in how she was taken in, and in how she reacted to being undeceived. This kind of April Fool joke contrasts with the kind of joke where someone is deceived—‘used’—as part of a joke at their expense, and as a means to the amusement of others. In such cases, the person deceived just feels resentment when wised up; others may be laughing (at him), but he isn’t amused and it isn’t really funny.

So we now have two substantive reasons to explain our diverging intuitions about the use of deception in Sierra’s *Space Closed* and our two experiments in social psychology. First, the deception (as in good April Fool jokes) has aesthetic merit as well as ethical demerit, whereas in scientific experiments deception cannot have scientific merit. And secondly, the deception in the scientific experiments involves using the participants merely as a means, but the deception in

¹⁶ See the discussion in Williams’ *Truth and Truthfulness*, especially p. 119.

¹⁷ This raises some very interesting questions about how we can properly and most effectively appreciate works like Sierra’s *Space Closed* without ourselves having been one of those who were deceived. My own view, which I hope to develop elsewhere, is that some kind of perceptual imagining is required: either in-his-shoes imagining, in which I (somehow) imagine myself feeling frustrated whilst not knowing what I do know—that I am being deceived; or third-personal imagining, in which I (somehow) perceptually imagine Sierra’s viewers feeling frustrated. There are close parallels with how we appreciate dramatic irony in fiction.

Sierra's work does not.

V

Now I have some doubts about the Leeds 13 performance on both these scores. Let's look at deception and aesthetic merit first. So far as I can make out, the deception would seem to be part of the content of the work, and in this respect it is unlike the Sierra. No doubt the deception was executed with care and skill, but this is not sufficient for it to add aesthetic merit to the work—think again of Leni Riefenstahl's skill in portraying Hitler in such a glorious light. If what the work is about just is deception, I myself am unconvinced that *Going Places* is an interesting or valuable artwork. But let me leave that and turn to the second point. Here we should ask ourselves whether the sponsors were being deceived for our aesthetic appreciation or for theirs, and thus whether they were being 'used' in an ethically unacceptable way. The sponsors were left with just feelings of resentment at having been 'misled' or 'duped', and they (and we) might reasonably suspect that, if this was indeed the point of the work, and that their being deceived was part of what we (and not so much they) are meant to appreciate, then the Leeds 13 performance is like a joke at someone else's expense: not a good thing to do. Perhaps, in such a case, the artworld and conceptual artists ought to worry more about deception that they seem to.¹⁸

¹⁸ Many thanks to David Owens and to Sam Vice for helpful discussion. This paper is written as part of a one-year Arts and Humanities Research Board Innovation Award, 'Perception, narrative discourse, and conceptual art'.