

Review

Habitual lying

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In the paper the authors discuss phenomenon of habitual (or automatic) lying and compare it with a standard criterion of lying. Habitual lying seems to occupy middle ground between telling the whole truth and telling a lie with previous intent to deceive. Finally, they try to answer some, it appears, most probable objections to such criterion of habitual lying. The criterion itself rests on the basic distinction between intent to deceive previous or to an act of uttering a false sentence as being true (or vice versa) and an intention implicit in the very act of uttering a sentence.

Key words: Habitual lying, intent to deceive, intention implicit in an act, intention previous to an act, lying, lying automatically, searle, truth-telling, wittgenstein.

INTRODUCTION

"There must remain some ultimate ends, unreduced and so unjustified." (Quine 1981:64)

"Keep your lies consistent. Rule 60" (Behr 1995:33)

THE PROBLEM OF INTERMEDIATE CASES BETWEEN TELLING A LIE AND TELLING THE TRUTH

Lying was the issue in ethical inquiries throughout history, as well as among contemporary philosophers (for contemporary analysis Siegler, 1966:128-136; Mannison, 1969:132-144; Chisholm and Feehan, 1977:143-159; Adler, 1997:435-45). With minute differences, most of them agree that lying is uttering a false sentence as being true (or *vice versa*) with a previous intention to deceive and as such it is quite distinguishable from telling the truth. On the other hand, "to lie" is a speech act like any other and it should be performed properly (satisfied, happy, etc. similar as "to pretend", Austin, 1961:201-20), and "lying is a language-game that needs to be learned like any other one" (it should be learned and practiced properly, Wittgenstein, 2001 §:249). "Being truthful" and "being lying" or to tell the truth and to tell a lie are practically irrelevant for understanding lying. What seems to be much more interesting are cases where these two

are hard to differentiate because there are lies which do not include previous intent to deceive and there are truths which are in fact half-truths, incomplete truths, or avoidances of the truth.

Before we actually start by providing a few examples in order to clarify this allegedly grey area, perhaps a minor note on the approach to the topic in question is needed. This paper is an attempt at philosophical analysis of lying and as such it is trying to research the field from a more theoretical perspective. There is a large amount of data collected on the phenomena of lying in other disciplines. If readers are interested in different theories please consult for example McCornack (1992), or Buller and Burgoon (1996). These and many others noteworthy readings offer a good view of different approaches to the field, but for the purpose of this paper we shall concentrate on the philosophical approach. Back to examples:

(a) Say that a mother with her son is crossing the street where a horrible car accident took place and if a child asks "What's going on ma? Why is that mister laying in the street all covered with red paint?", then, if the mother says "Oh Willard that is nothing important, they are just making a movie", she is lying and she does it without any previous intent to deceive her son Willard. Quite contrary, her lying is a part of completely different intention, that is to say the overall intention or spirit of protecting Willard from potential harm.

(b) Say that in an advertisement for a quite popular soft

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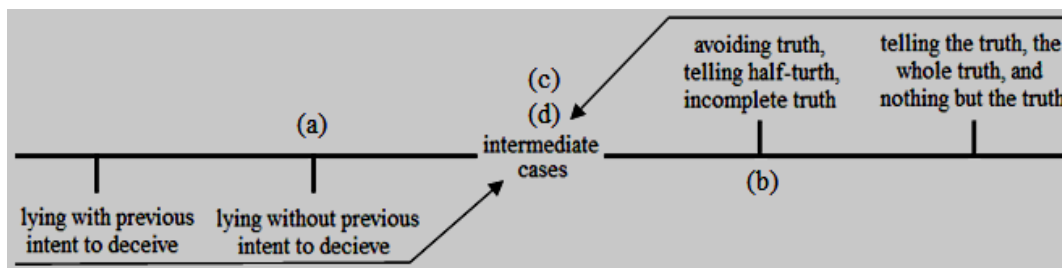


Figure 1. Intermediate cases between lying and truth telling.

drink an actor says "... and it is sugar-free too!" Now, the analysis of this particular soft drink shows that it has sugar, but contains no "added sugar" (which can cause some serious health problems for certain consumers). This case, as well as many other cases in advertising industry, is not lying, however, it is something between telling the half-truth and avoiding the truth about the product's characteristics.

(c) Say that Norman asks Ludwig "What's the time?" and if Ludwig answers "I don't know" while having a watch which is working properly and telling time correctly. Here Ludwig is not telling half-truth but lying. However, if Ludwig has some kind of idiosyncrasy, a private policy to answer to this particular and a series of similar questions (e.g. "Excuse me, do you know where this street is?") by saying "I don't know", then there is no intention previous to an act of uttering "I don't know". On the other hand, Ludwig can say "But I really did not know, since I have not taken a look at my watch for quite some time." This case can be then avoiding the truth as well as lying without previous intent to deceive.

(d) Two CEO's are chitchatting at some gala event for best companies of the year. One asks another, "Say Rudolph, at my company the workload is 40 h per week, how much is it in yours?", and Rudolph instantly answers, "40 h as well." Now, Alfred was talking about "standard workload" which is commonly implied. On the other hand, Rudolph, while knowing exactly what Alfred was asking, answered in terms of "average workload" which is by coincidence 40 h too. The fact is that in Rudolph's company there is no standard workload at all. Here, there was no previous intention to deceive, at least not previous to the very act of uttering "40 h as well", yet Alfred was deceived. On the other hand, Rudolph answered to the question understood literally, that is without taking into account commonly implied meaning of the expression "workload" meaning "standard workload". This case is obviously an intermediate case between lying without previous intent to deceive and telling half-truth (if the supplied information can be counted as half-truth at all).

The case (a) is obviously a case of lying without previous intent to deceive, the case (b) is obviously something between avoiding the truth and telling half-

truth, the cases (c) and (d) are cases which could be a kind of blend of lying without previous intent to deceive and avoiding truth (c), or telling half-truth (d). Now, the standard and common criterion is setting only a radical case as it were the border of lying but only on one side while leaving border porous on the other, much more interesting side. In order to understand this side of lying we need to investigate this leaky side or intermediate cases as shown in Figure 1.

THE STANDARD ANALYSIS OF LYING

The standard criterion of lying says that in any situation whatsoever, in which β asks α to tell him/her is P true regarding R α is lying to β if:

- (1) P is false (for instance).
- (2) β does not know is P true or false.
- (3) α knows that P is false in (1).
- (4) α knows that β does not know is P true or false in (2)
- (5) α knows what is true regarding R , namely, that Q is true.
- (6) α has intent to deceive β previous to the very act of uttering P .
- (7) α utters P .

This criterion (1–7) can be branded as the criterion of lying with prior intent to deceive. This criterion is appropriate for a number of simple daily cases like lying to those who would not understand the truth for some further reasons (because they are too sensitive and would probably do something hastily, because they are children, because they are mentally challenged persons and similar), to those who "cannot handle the truth" and suitable for a number of somewhat more complicated cases like false swearing, perjury (Clapp, 1996), or creative accounting, cooking the books (Loomis, 2001; Figure 2).

Furthermore, the criterion is quite clear. It consists of three groups of conditions, namely, condition (1) can be regarded as *truth-condition*, conditions from (2) to (5) can be considered as *knowledge-conditions*, condition (6) can be regarded as the *intention-condition*, while condition (7)

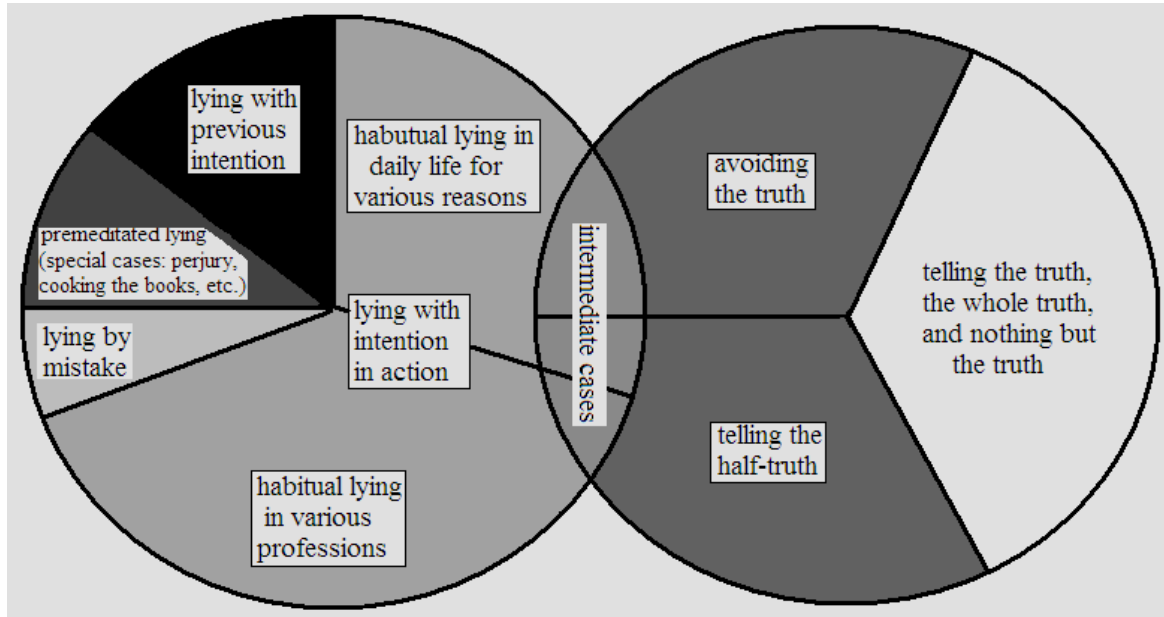


Figure 2. Habitual lying compared with lying with previous intention and with avoiding the truth / telling the half-truth (ratios in diagrams are not based on any data, however, in our opinion habitual lying occupies greatest portion among types of lying (quantitatively speaking) and it is very hard to differ from avoiding the truth and telling partial truth (qualitatively speaking).

can be understood as *action-condition*. Regarding condition (1) there is some difference in type of questions and answers, that is, to say, the questions can be regarding some P being true or false (say, “Is the answer c true or false”), regarding a state of affairs (say, “Is it already four o’clock?”), regarding the opinion of a person (“What do you think of him?”) and similar.

Now, these conditions seem to be necessary if taken individually, while taken together they are sufficient for lying. This point needs some more detailed explication. If one is asked simple question in order to lie one need to utter a false sentence as being true (or *vice versa*), since if one utters true sentence, than one is not lying but telling the truth. So much regarding condition (1), Condition (2) is obvious too, because the one to whom another lies needs to seek knowledge genuinely, since if this is not the fact, than liar cannot be sure is the other one trying to expose him / her as a liar (this point is important in view of the success of lying). Conditions (3) and (4) are also necessary in terms of knowledge or strong belief. Condition (5) seems to be unnecessary, however, it is by no means necessary in view of the fact that one needs to know what is true and what is false regarding something. If one of these elements is missing than we have an intermediate case between lying and *bullshiting* (Frankfurt, 2005; Figure 3). Condition (6) seems to be quite important since one need to have some kind of previous intention to deceive another person by uttering a false statement as being true. This condition is obviously necessary; however, it is not

sufficient if conditions (1 - 5) are not satisfied. Finally, condition (7) is necessary because if there is no utterance, than there is no lying *stricto sensu* (there are some language-games in which silence can be regarded as some kind of “saying something” but such exceptions are beside the scope of this analysis).

In the end, this criterion seems to be very strict and according to which we do not lie much, in fact it seems quite demanding to lie properly. On the other hand, we are sure that we lie much more then this criterion tolerates. In short, this criterion is too rigorous. The question is: is it perhaps the special case of some more broad-spectrum criterion?

THE CRITERION OF HABITUAL LYING

There is something dodgy concerning the previously mentioned criterion of lying, and it can be described in terms of the following criterion:

- (1) P is false (there are other possibilities here)
- (2) β does not know is P true or false
- (3) α knows (1)
- (4) α knows (2)
- (5) α knows what is true regarding R, namely, that Q is true
- (7) α utters P.

The listed conditions are identical to those in previous

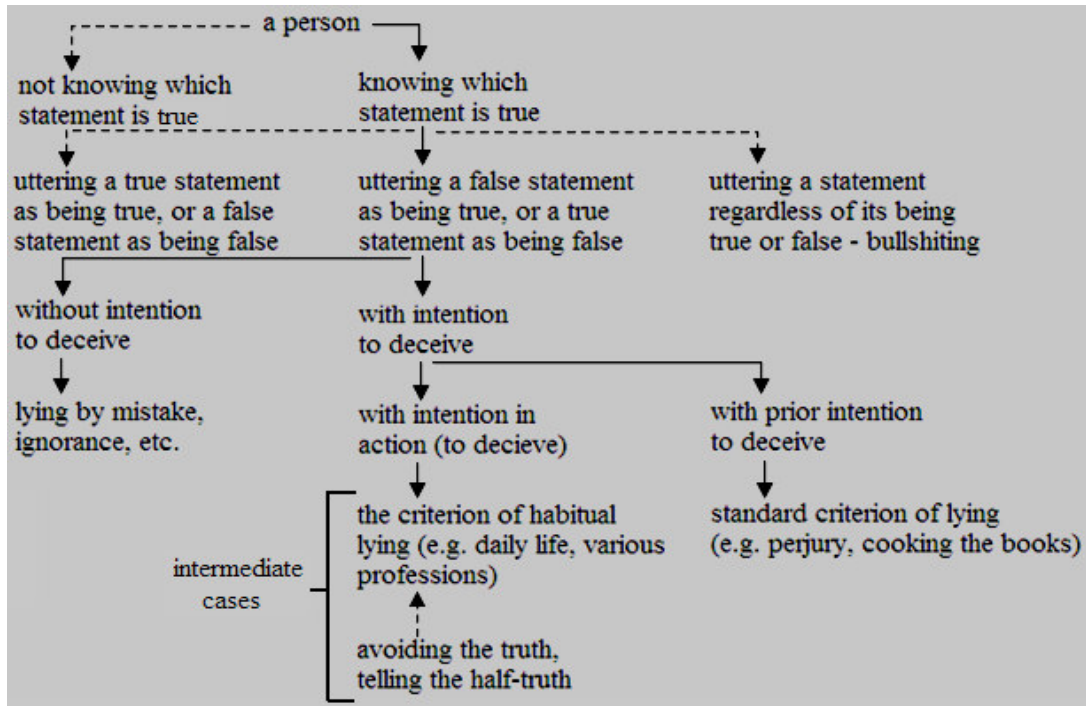


Figure 3. The pattern of lying.

section except for condition (6). This second criterion is a more wide-ranging, and the first one seems to be its special case. In addition, this criterion still leaves enough room for half-truths which are not lies, but also not “the truth, the whole truth and nothing but the truth”. The question concerning these conditions is simple, namely, which act is one performing if not lying if one satisfies these conditions? Since there are no other candidates, and since one surely performs an act by uttering P, the only solution is that one is lying and this criterion as “the standard criterion minus previous intention” we brand as “habitual lying”.

SOME OBJECTIONS AND REPLIES

Here we will now list some objections to the second criterion and supply some possible replies:

(a) One can say that one uttered P by mistake, as *lapsus linguae* for instance and it’s similar. In such cases one will surely correct himself as soon as the mistake is noted. There is of course a small possibility that a person will not do that because, for example he is too embarrassed to admit that he made a mistake and (fortunately) he is the only one that actually noticed the mistake. For the purposes of this article we can rule out this and similar exceptions. Say that these exceptions are ruled out. Conversely, this is noteworthy since if one utters a false statement believing to be true, then one is,

as T. Aquinas says, “lying only materially, but not formally”, because “falseness is beside the intention of the speaker.” (Aquinas 1947, ST, II-II, Q.110, a.1) This can be labelled as a kind of lying by mistake, or lying without previous intention.

(b) Another objection is that, in order to lie it has to have a previous intention to deceive. Now, this is not exactly the case. If we humans talk by default and if lying is a language-game as any other, then in most cases we also lie by default, automatically, or habitually (in all cases in which we consider lying to be allowed, tolerable and necessary). If we do so, then there is no need for intent to deceive previous to the act of uttering a false sentence as being true. However, some kind of intention is surely needed. Here, one can differentiate between: (6.1) explicit intention to deceive *clearly* present in persons mind *previous* to an act of uttering P, (6.2) and intention to deceive *implicit* in act of uttering P and *undoubtedly manifested* by it.

J. R. Searle’s idea regarding this distinction can be helpful. “A common mistake in the theory of action is to suppose that all intentional actions are the result of some sort of *deliberation*. But obviously, many things we do are not like that. We simply *do something without any prior reflection*. For example, in a normal conversation one does not reflect on what one is going to say next, *one just says it*. In such cases, there is indeed an intention, but it is not intention formed prior to the performance of an action. It is what I call intention in action.” (Searle, 1984:65, italics are added) If this is correct, then intention

More deceived	Lying with previous intent to deceive	<i>Habitual lying</i>		Types of lies
Mildly deceived	Intermediate cases	Lying with intention in action		
		Avoiding or concealing the truth		
Less deceived	Telling the whole truth	Telling the half truth		Types of truth
	Less frequent	More frequent		

Figure 4. Types of truth and types of lies concerning their frequency (an approximation) and level of misinformation (less, mildly, more).

can be implicit in an act of uttering a false statement as being true and manifested by it (6.1 is simple explication of the condition 6, and 6.2 of the condition 7). This point nicely goes along with the rhetorical question asked by L. Wittgenstein, namely, “To what extent am I aware of lying while I am telling a lie?” (Wittgenstein, 2004 §§:189-90) Mostly we are not aware of intention in action, but there is an intention no matter if it is implicit in action. Here, one can differ between having an intention in terms of manifesting it and being conscious of intention. On the other hand, habitual lying as described has many similarities with avoidance of the truth and with telling the half-truth (as shown in Figure 2).

(c) Third objection can be that the second list is not sufficient for lying, because each and every case of uttering a false statement with intention implicit in the very act then would have to be understood as lying; namely, it is too vague. Now, if one rules out cases of mistakes due to various reasons, then these are sufficient for lying. This point can be illustrated by series of distinctions which preserve the pattern of lying and yet leave enough space for intermediate cases which are present in some professions and in our daily life as well as shown in Figure 3. If one accepts this modified criterion of lying, then one among interesting consequences is that in most cases it is not at all easy to tell habitual lying from telling half-truth. More to that, humans are in fact mostly aware of this kind of intention in action since “For most people, the fact that a statement is false constitutes in itself a reason, however, weak and easily overridden, not to make the statement” (Frankfurt, 2005:59).

CONCLUDING REMARKS

Nonetheless, we humans override this reason, namely the fact that a statement is false, quite often and that summarises another consequence, that is, that we lie much more than we in fact believe we do (this rationalisation is a part of good practice of various professions like legal, business, political, medical, etc. as well as with our daily life in which such habitual lying, is a part of upbringing, customs and culture). We can make a kind of approximation vis-à-vis frequency of lying regarding mentioned types and a propos being more or less deceived by particular type of a lie as shown in Figure 4.

Now, what to say concerning habitual lying? Surely it seems to be the most frequent type of lying which produces (mostly) medium misinformation to one to whom it is being lied to due to the fact that it is expected and practiced by all parties engaged. On the other hand, it seems hard to differ between avoiding, concealing, or telling the half-truth and habitual lying (cases from the beginning of the paper (a-d) can be considered as prototypical, yet in most cases this is hard to do. Beyond the reach of our replies, admitting that there are a lot of intermediate cases between telling the whole truth and lying with previous intent to deceive and that telling half-truth or avoiding or concealing truth as the most frequent type of truthfulness and habitual lying as the most frequent type of lie, seems to be an issue of basic honesty and “care about truth” (Frankfurt, 2007:101). Maybe we even lie to ourselves if we believe no more than what is commonly believed about lying (the first

criterion) and consequently readers of this paper could ask themselves - does this essay consists of mostly half-truths and false statements that are written to mislead me without any prior intent to do so?¹ Also we are aware that a lot of future research is needed in the mentioned “grey” are, since this paper is just a preliminary examination of the field in question. For future research we propose a closer look at the porous boarder between mentioned cases of lying and telling the truth.

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