1. Introduction

Lying is a critical concept in several areas of philosophy. It has been extensively discussed by moral philosophers (e.g., Augustine 1952 [395], Kant 1959 [1785], Bok 1978) and, more recently, by epistemologists of testimony (e.g., Faulkner 2007, Lackey 2008). Thus, it is important for philosophers to have a clear understanding of what lying is (cf. Carson 2006, 284; Mahon 2008; Fallis 2009, 30).

Pretty much everybody agrees with George Costanza that “it’s not a lie if you believe it.” In other words, in order to lie, you at least have to say something that you believe to be false. But lying is not simply saying something that you believe to be false. For example, if you say “I am the Prince of Denmark” while performing a play, you are not lying. Similarly, if you say “I am the Prince of Denmark” and follow this statement with a wink to indicate that you are not to be taken seriously, you are not lying. So, there must be some additional condition that lies must meet.

According to the standard philosophical definition of lying, the additional condition is an intention to deceive (cf. Augustine 1952 [395], 56; Bok 1978, 13; Kupfer 1982, 104; Williams 2002, 96; Mahon 2008, section 1.4).²

You lie to X if and only if:

1. Strictly speaking, the Costanza Doctrine only requires that a liar fail to believe that what she says is true (cf. Carson 2006, 298; Sorensen 2007, 256). However, other philosophers (e.g., Chisholm and Feehan 1977, 152; Mahon 2008, section 1.2) do require that a liar believe that what she says is false. I will stick with the stronger requirement throughout this paper because it strikes me as more straightforward. But nothing in this paper turns on this issue. The stronger requirement can easily be replaced with the weaker requirement in any of the definitions that I consider. I would like to thank Marc Johansen for pressuring me to clarify this point.

2. Social scientists (e.g., Ekman 1985, 28; Barnes 1994, 11) also typically include this condition in their definitions of lying.
You say that \( p \) to \( X \).\(^3\)
You believe that \( p \) is false.
By saying that \( p \), you intend to deceive \( X \).

This definition correctly rules in prototypical instances of lying. For example, the conditions of L, are satisfied if I say with complete seriousness “I am the Prince of Denmark” in order to impress a beautiful woman whom I have just met at a fancy party in Washington, D.C.

Also, this definition correctly rules out many statements that are clearly not lies. First, it rules out statements that are believed by the speaker to be false but that are not intended to deceive. For example, if I say “I am the Prince of Denmark” and follow this statement with a wink to indicate that I am not to be taken seriously, I am not lying. Second, it rules out statements that are intended to deceive but that are believed by the speaker to be true. For example, when soldiers asked about Athanasius’s whereabouts, Saint Athanasius truthfully said “He is not far away” intending his audience to draw the false conclusion that he was not Athanasius (cf. Hodges 1911, 24–25). Such cases of false implicature are not instances of lying, strictly speaking (cf. Adler 1997; Mahon 2008, section 1.2).\(^4,5\)

But while lying very often does involve an intention to deceive, several philosophers (e.g., Carson 2006, 289; Sorensen 2007; Fallis 2009, 41–43) have argued that an intention to deceive is not a necessary

3. Some philosophers (e.g., Bok 1978, 13) give this condition in terms of “stating” rather than in terms of “saying.” And it is possible to say something without making a statement (e.g., you might be issuing a command or asking a question). But for purposes of this paper, “saying that \( p \)” is just the same as “stating that \( p \)” (cf. Fallis 2009, 34–35).

4. People who are intent on deception often go to great lengths to avoid saying something that they believe to be literally false (cf. Adler 1997). The extreme case is the medieval strategy of “mental reservation” (cf. Bok 1978, 35–37). This suggests that most people distinguish lying from cases of false implicature. But Augustine (395, 56–60) actually leaves open the question of whether cases of false implicature are instances of lying.

5. It should be noted that a statement is a case of false implicature as long as the speaker intends his audience to infer something that he believes to be false. The speaker may be mistaken about whether it actually is false.

6. While the standard philosophical definition of lying requires an intention to deceive, several earlier writers (e.g., Aquinas 1922, article 1; Johnson 1983 [1755]) say that a lie is simply “a locution contrary to what is on one’s mind” (Kemp and Sullivan 1993, 153). More recently, empirical studies (e.g., Coleman and Kay 1981; Arico and Fallis 2009) in which people are asked to read short vignettes and rate on a seven-point scale whether the main character is lying, suggest that people consider bald-faced lies to be lies.

7. In common parlance, the term ‘bald-faced lie’ sometimes just means that the speaker is brazen and does not mind getting caught, rather than that he does not intend to deceive. For example, in the movie Fargo, Jerry Lundegaard tricks the customer into coming down to pick up the car that he ordered without the TruCoat. When he gets to the dealership and realizes that he has been deceived, the customer calls Jerry a “bald-faced liar”, but goes ahead and buys the car with the TruCoat anyway. But in this paper, the term ‘bald-faced lie’ will always refer to a lie that is not intended to deceive.

8. See David Lewis (1969, 52–60) for a more detailed analysis of common belief. Although Lewis refers to this phenomenon as common knowledge, there is no requirement that the belief in question be true (cf. Lewis 1978, 44). The speaker and his audience could both be wrong about the statement’s being false. Thus, as Roy Sorensen has pointed out to me, a bald-faced lie could actually be true. Also, it should be noted that the common-belief requirement may actually be too strong. It may be sufficient that the speaker believes that it is common belief that the statement is false (cf. Fallis 2009, 48–49). For example, someone might claim not to have eaten the last piece of chocolate cake even though he expects that everyone will know that this is false given the chocolate all over his face and hands. This still seems to be a bald-faced lie even if (unbeknownst to the speaker) his audience is completely blind. (Thanks to an anonymous referee for this example.) But I will ignore this complication for purposes of this paper.
For example, there might not be enough evidence to convict you of a particular crime as long as you continue to assert your innocence. In such cases, the liar does not have to deceive anyone in order to achieve his goal.

The existence of bald-faced lies indicates that the standard philosophical definition is not an adequate definition of lying. As a result, some philosophers (e.g., Sorensen 2007, 256; Fallis 2009, 33) have defended an alternative definition. They suggest that you lie if you assert something that you believe to be false.

Assuming that you lie to X if and only if:
- You assert that p to X.
- You believe that p is false.

Saying something just means intentionally uttering a meaningful sentence (cf. Chisholm and Feehan 1977, 150–51). For example, an actor on stage says something when she delivers her lines. By contrast, asserting something has a normative component that goes beyond simply saying something. It has assertoric illocutionary force (cf. Pagin 2007, section 1).

Philosophers disagree about exactly what the normative component of assertion amounts to (cf. Carson 2006, 300–01; Pagin 2007, section 7; Fallis 2009, 44; Rescorla 2009). For the most part, these disagreements will not matter for purposes of this paper. However, as Carson (2006, 300) notes, several accounts of assertion require that a speaker intend that his audience believe what he says or that his audience believe that he believes what he says. We do need to reject such accounts. Using such an account of assertion, the first two conditions of L\(_2\) would imply that you intend to deceive X. Thus, L\(_2\) would (like L\(_1\)) rule out bald-faced lies.\(^9\)

9. Sorensen (2007, 251–53) also gives examples of bald-faced lies that people living under totalitarian governments are forced to tell.

10. Chisholm and Feehan’s (1977, 152) account of assertion does not require that a speaker intend that his audience believe what he says or that his audience believe that he believes what he says. But it does require that a speaker believe that his audience be justified in believing that he believes what he says.

Even if we set aside bald-faced lies, it is pretty clear that a person can assert something without intending (or even expecting) to produce (or maintain) a belief in his audience. Wayne Davis (1999, 21–22) gives several examples that fall into this category: an innocent person “proclaiming his innocence in the face of a mountain of incriminating evidence”, a person “talking to someone he knew did not trust him”, a student “answering a teacher” (presuming that the teacher already knows the answer to her own question), or a person “accusing his spouse of lying” (who presumes that his spouse already knows that she has lied).

Fortunately, there are accounts of assertion that do not require that a speaker have any intentions with respect to the beliefs of his audience. According to one influential account, you assert something when you tacitly promise or guarantee or assure your audience that what you say is true (cf. Peirce 1934; Brandom 1983; Carson 2006, 293–94).\(^11\) As Charles S. Peirce (1934, 384) put it, “to assert a proposition is to make oneself responsible for its truth.” For example, a speaker takes on an obligation to respond to any challenges to the truth of what he has asserted.

In addition, Fallis (2009, 33–37) has suggested an alternative account of assertion that does not even require that speakers guarantee what they say is true. It seems that you can still be making an assertion even if you append “but I hope that you do not believe me” or “but remember that I am unreliable on such matters” to a statement (cf. Sorensen 2007, 255; Fallis 2009, 47). This alternative account of assertion requires only that a statement be made in a context where the speaker believes that particular conversational maxim (Grice 1989 [1975], 26–30) are in effect (most importantly, “Do not say what you believe to be false”). These maxims are in effect in normal conversations.

Thus, using their account of assertion, L\(_1\) would still rule out bald-faced lies (cf. Carson 2006, 292; Fallis 2009, 44–46).

11. Strictly speaking, Carson does not intend to be giving an account of assertion. But he notes that his account of warranting the truth could be taken as an account of assertion along the lines of Peirce and Brandom (cf. Carson 2006, 300; Fallis 2009, 47).
They are not in effect during the performance of a play. In addition, they are not in effect when a speaker gives a clear indication (e.g., by winking or through tone of voice) that what he says is not to be taken literally (cf. Fallis 2009, 53–54).

Using either of these accounts of assertion, L₁ rules in bald-faced lies as well as lies that are intended to deceive. Also, this definition correctly rules out cases of false implicature (with the second condition) and statements that are followed with a wink or that are part of a play (with the first).

But while an intention to deceive may not be a necessary condition on lying, there are several reasons to focus specifically on lies that are intended to deceive. First, lies that are not intended to deceive are clearly not prototypical instances of lying. In fact, some people may have the intuition that “bald-faced lies” are not really lies at all.12,13 Second, lies that are intended to deceive are arguably the more important type of lie. For example, these are the lies that we build lie detectors to detect. Also, these are the lies that philosophers tend to be interested in.14 (These are certainly the lies that Dr. House had in mind.)

It is pretty clear that moral philosophers are primarily concerned with lies that are intended to deceive. For example, Immanuel Kant (1785) famously argued that it is always wrong to lie. According to Kant, we can determine whether we have a duty not to act in a certain way by checking whether we can will that everyone act in that way.15 For example, if everyone followed the rule “Lie whenever it is to your advantage,” nobody would trust anybody else when they spoke. Thus, it would not be possible to gain any advantage by lying. In other words, the rule “would necessarily destroy itself as soon as it was made a universal law”.16 Thus, we cannot will that everyone act according to this rule (cf. Korsgaard 1986, 328–29). Setting aside the question of whether Kant’s argument that we have a duty not to lie is correct, it is clear that this argument only applies to lies that are intended to deceive. These are the only lies that have the potential to destroy trust. As Roy Sorensen (2007, 252) points out, “bald-faced lies do not fool anyone. They are no more a threat to truth telling than sarcastic remarks.” In addition, epistemologists are primarily concerned with deceptive testimony that can interfere with people’s ability to acquire knowledge.

Assuming that bald-faced lies really are lies, the standard philosophical definition (L₁) is not an adequate definition of lying in general. However, it might be suggested that L₁ actually captures the type of lie that interests philosophers. In section 2, I argue to the contrary that L₁ is not adequate as a definition of deceptive lying either.17 In addition, several refinements to the standard definition that have been proposed are not adequate. All of these definitions rule in certain statements that are not deceptive lies or rule out certain statements that pretty clearly are deceptive lies.

As I discuss in section 3, in order to come up with a concise definition of deceptive lying for philosophical use, we will have to give up some of our intuitions about particular cases. On the one hand, we can tighten our definition so that it rules out all but the prototypical instances of deceptive lying. On the other hand, we can broaden our definition so that it rules in forms of verbal deception that are usually not considered to be lies. But we can do so in a way that captures what is morally and epistemically problematic about deceptive lying.18
1. A Brief Aside about Methodology
As noted above, the goal of this paper is to come up with a definition of deceptive lying for philosophical use. More precisely, the goal is to identify a concise list of necessary and sufficient conditions that captures what those philosophers who take an intention to deceive to be a necessary condition on lying mean by the term ‘lying’. In order to determine if a proposed definition of a concept is correct, the method of conceptual analysis has us appeal to the intuitions of competent speakers of the language about whether or not particular cases fall under the given concept (cf. Fox 1983; Margolis and Laurence 2006, section 5). In line with previous work on the definition of lying, this paper will appeal to the intuitions of philosophers (e.g., about several hypothetical cases discussed in the literature on lying).

The method of conceptual analysis has recently been criticized because of this reliance on intuition (cf. Margolis and Laurence 2006, section 5.2). For example, empirical evidence suggests that intuitions are fallible (cf. Swain et al. 2001). However, our intuitions have to be a pretty good (albeit fallible) guide to how words are commonly used (cf. Jackson 1998). If they were not, we would have a lot of trouble communicating with each other. In addition, empirical evidence suggests that intuitions vary with cultural and socioeconomic background (cf. Weinberg et al. 2001). However, since the goal here is to come up with a definition for philosophical use, we need only appeal to the intuitions of a fairly homogeneous group (viz., philosophers). Fur-
Lying and Deception

2.1. Saying that \( p \) with the intent to deceive

As noted above, an obvious suggestion is to use the standard philosophical definition of lying to define deceptive lying.

\[ \text{dl}_1 \quad \text{You deceptively lie to } X \text{ if and only if:} \]

- You say that \( p \) to \( X \).
- You believe that \( p \) is false.
- By saying that \( p \), you intend to deceive \( X \).

But if we want to focus on lies that are intended to deceive, \( \text{dl}_1 \), turns out to be too broad. That is, it rules in statements that are not lies at all. For example, suppose that I say in a theatrical tone “I am the Prince of Denmark” in order to convince my new acquaintance that I am an actor (rather than that I am royalty). Although I have said something that I believe to be false with the intent to deceive, I have not lied. And deceptive lying should certainly turn out to be a subset of lying in general (cf. Fallis 2009, 55).

Admittedly, there is a sense in which I am “lying” when I pretend to be an actor. (If I pretend to be an actor, none of my specific utterances are lies since they are essentially lines from a performance. But my overall behavior might be construed as being a lie in some sense.) But this is only a sense of lying in which all sorts of deceptions are lies. For example, someone who puts on an accent to convince you that he is French would be lying in the same sense. But a definition of deceptive lying that ruled in such cases would presumably be too broad.

22. Some epistemologists (e.g., Moran 2006; Faulkner 2007, 539–44) argue that testimony is not evidence, strictly speaking. In support of this claim, they point to the fact that we do not treat speakers as reliable indicators of how the world is (cf. subsection 3.3, below). But even if this claim is true, it does not undercut my point here. Deceptive testimony causes people to use their normal cognitive processes to draw false conclusions.

23. For some purposes, we might actually want a definition of deceptive lying that does not require an actual intention to deceive. For example, an organism might have evolved characteristics or behaviors that cause other organisms to acquire false beliefs (as when a species of butterfly develops coloring that mimics the coloring of a species of butterfly that is poisonous to predators). There is an interesting sense in which that organism is lying while an organism that simply causes false beliefs accidentally is not lying (cf. Russow 1986; Sober 1994). But for the purposes of this paper, I restrict my attention to deceivers that have beliefs and intentions with regard to the belief states of the targets of their deception (cf. Mahon 2007, 182).

24. It might be suggested that I am an actor (at least in some sense) if I do things like speak in a theatrical tone. If I believed that, then I would not be intending to deceive anyone with my remark. But it is not very plausible that I become an actor (at least in the sense that would impress my new acquaintance) merely by pretending to be one on this one occasion. Also, it might be suggested that the word ‘I’ in my statement refers to the fictional character that I am pretending to be (and not to the real me). If I believed that, then I would not be saying something that I believe to be false. But we can easily avoid this sort of worry. If I say in a theatrical tone something that I believe to be false in the fictional world and the real world (e.g., “Two big monsters … with big, green eyes … tied me in a big sack” as said by the title character in *Pinocchio*), I have still not lied.

25. As I discuss in subsection 3.2 below, there are reasons why we might want to
Pretending to be an actor and pretending to be foreign are arguably cases of false implicature. The standard case is when you say something true with the expectation that your audience will infer something false. But you can also simply do something with the expectation that your audience will infer something false. For example, you can pack your bags in front of your roommates in order to mislead them into believing that you are leaving on a trip (cf. Kant 1930, 226). Also, you can give the false impression that you are an actor by reciting lines from a play. Such cases of false implicature can be as morally and epistemically objectionable as lying (cf. Twain 1996 [1899]; Carson 1993, 332–33; Adler 1997; Scanlon 1998, 318–20; Williams 2002, 108–09).26 But as noted above, they are not instances of lying, strictly speaking.

2.2. Asserting that p with the intent to deceive

As the case of pretending to be an actor shows, merely requiring an intention to deceive is not enough to rule out cases of linguistic deception that are not lies. In the absence of some other suggestion, it seems that we need the normative component of assertion to rule out such cases of deceptive playacting.27 So, in order to define deceptive lying, we at least need to combine the two main definitions of lying (L₁ and L₂). In other words, it might be suggested that you deceptively lie if you assert something that you believe to be false with the intent to deceive.

\[ \text{DL₂} \quad \text{You deceptively lie to } X \text{ if and only if:} \\
\text{You assert that } p \text{ to } X. \\
\text{You believe that } p \text{ is false.} \\
\text{By asserting that } p, \text{ you intend to deceive } X. \]

This definition correctly rules in prototypical instances of deceptive lying. For example, when I say with complete seriousness, “I am the Prince of Denmark,” I make an assertion with the intent to deceive. Also, this definition correctly rules out cases of deceptive playacting. For example, when I say “I am the Prince of Denmark” in a theatrical tone, I have not asserted that I am royalty.

It should be noted that some philosophers (e.g., Kupfer 1982, 104; Williams 2002, 96; Mahon 2008) do include an assertion condition as well as an intent-to-deceive condition in their definitions of lying. But even among these philosophers, it is typically the intent-to-deceive condition that is thought to rule out cases of playacting (cf. Mahon 2008, section 1.4). As noted above, however, the assertion condition is what is actually needed to rule out many cases of deceptive playacting.

But DL₂ still may be too broad for our purposes. For example, consider the following case: You are called to testify against someone who is widely known to be guilty of a particular bank robbery. However, because of a lack of admissible evidence, the defendant will not be convicted unless you identify her as the perpetrator. On the witness stand, you testify that she is not the perpetrator. Since it is common knowledge that she is the perpetrator, you do not intend or expect anyone in the courtroom to believe you when you say that the defendant is innocent. Instead, your false testimony is part of your plan to gain the trust of the defendant so that you can ultimately get your hands on the proceeds of the robbery. And the fact that everyone in

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26. In addition to explicitly saying false things, con artists do all sorts of things to mislead their “marks” (cf. Snyder 1986, 51). It is not clear that a con artist would be any less culpable just because she never actually said anything false.

27. Since it also requires that you speak directly to the person that you intend to deceive, it might be suggested that DL₁ does rule out all cases of deceptive playacting. However, we can easily devise cases of playacting that involve speaking directly to the person who is to be deceived (cf. Fallis 2009, 56). For example, in the case where I pretend to be an actor, I am speaking directly to my new acquaintance. Also, instead of addressing another actor, an actor on stage might address the audience in an aside. In addition, as I discuss below, a viable definition of deceptive lying may need to require an intention to deceive about some particular thing. But this will not obviate the need for an assertion condition either. Whatever we want to say that deceptive liars have to intend to deceive about, we can devise cases of playacting that involve an intention to deceive about the very same thing (cf. Fallis 2009, 55–56).
the courtroom (and not just the defendant) knows that your testimony is false makes it even more convincing evidence of your goodwill toward the defendant.28

Your testimony is pretty clearly a lie. You are asserting something that you believe to be false. Also, you clearly intend to deceive with your testimony. In particular, you intend to mislead the defendant into believing that you are her friend. Thus, there is certainly a sense in which your testimony is a deceptive lie. But it does not seem to be a deceptive lie in the sense that moral philosophers and epistemologists are concerned with.

Your testimony in this case is a bald-faced lie. It is common belief between you and everyone in the courtroom that the defendant is guilty. Thus, you do not intend to deceive anyone about what you are saying (or about what you believe about the matter). But as discussed in section 1 above, we want to set aside such bald-faced lies in developing an account of deceptive lying. Those philosophers who take an intention to deceive to be a necessary condition on lying do not consider such statements to be lies in the first place.

Furthermore, while your testimony is deceptive, it is deceptive in exactly the same way that any case of false implicature is deceptive. You have simply done something with the expectation that your audience will infer something false. The intended deception is only indirectly related to the content of your testimony. So, if we count your testimony in this case as a deceptive lie, we should probably count cases of false implicature in general as instances of deceptive lying. But for the reasons given in subsection 2.1 above, we probably do not want to do this.

2.3. Asserting that p with the intent to deceive about p

In order to rule out bald-faced lies that are intended to deceive about something other than what is asserted, we can tighten up the definition by clarifying exactly what the deceptive liar must intend to deceive about. An obvious suggestion is that a deceptive liar must intend to deceive his audience about what he says (cf. Kupfer 1982, 104; Williams 2002, 96; Mahon 2008, section 1.4). In fact, as James Mahon’s Stanford Encyclopedia of Philosophy entry on lying makes clear, DL₃ rather than Lᵥ is what should really count as the standard philosophical definition of lying.29

\[ DL₃ \quad \text{You deceptively lie to X if and only if:} \]

\[ \begin{align*}
& \quad \text{You assert that } p \text{ to } X. \\
& \quad \text{You believe that } p \text{ is false.} \\
& \quad \text{By asserting that } p, \text{ you intend } X \text{ to infer that } p \text{ is true.}
\end{align*} \]

This definition correctly rules in prototypical instances of deceptive lying. For example, when I say with complete seriousness, “I am the Prince of Denmark,” I make an assertion with the intent to deceive about what I have asserted. Also, this definition correctly rules out bald-faced lies that are intended to deceive about something other than what is asserted.

It is important to emphasize that requiring that a liar intend to deceive about p would not eliminate the need to require that a liar assert that p. For example, an actor in a play may be trying to deceive his audience about the very thing that one of his lines says. But he still would not be lying (cf. Fallis 2009, 55–56).

In any event, it turns out that DL₃ is too tight as a definition of deceptive lying. A liar can intend to deceive people about whether she believes p without intending (or even expecting) to deceive people about p (cf. Chisholm and Feehan 1977, 151–52; Davidson 1985, 88; Newey 1997, 100). For example, consider the following case (cf. Mahon 29. While not all philosophers (e.g., Bok 1978, 13) are explicit that a liar has to intend to deceive about what he says, this is probably what they really have in mind (cf. Williams 2002, 96). However, some philosophers (e.g., Newey 1997, 100–02) do not think that a liar has to intend to deceive about what he says. A liar just has to intend to deceive about something (by asserting something that he believes to be false).
A crime boss, Tony, has discovered that one of his henchmen, Sal, has become an FBI informant. But Tony does not want Sal to find out that his treachery has been uncovered. So, to keep his disloyal henchman at ease, Tony says with pride to Sal one day, “I have a really good organization here. There are no rats in my organization.”

Tony does not intend Sal to believe that there are no rats in the organization. In other words, he does not intend to deceive Sal about p. Tony knows that he will never succeed in doing that because Sal himself is the rat. (It is not as if Tony’s statement is going to lead Sal to think to himself, “Well, I guess that I am not a rat after all.”) Thus, Tony’s statement is not a deceptive lie according to DL3.

Even so, Tony’s statement is pretty clearly a lie that is intended to deceive. Tony is asserting something that he believes to be false. Thus, this is not simply a case of false implicature. In addition, he intends to deceive Sal by making this assertion. In particular, Tony intends Sal to believe that he (Tony) believes that there are no rats in the organization. In other words, he intends to deceive Sal about his believing that p. He can keep Sal off his guard just by deceiving him about this. Thus, unlike the bald-faced lie (from the previous subsection) that the accused bank robber was innocent, Tony’s statement seems like a perfectly good candidate for a deceptive lie.

2.4. Asserting that p with the intent to deceive about believing that p

Unlike the crime boss, most deceptive liars are ultimately interested in deceiving people about what they say. But, in order to achieve this goal, they typically intend to deceive people about their believing what they say (cf. Kupfer 1982, 116; Simpson 1992, 625; Faulkner 2007, 537). Deceptive liars (as well as truth tellers) assert that p because this suggests that they believe that p, which in turn suggests that p is true. For example, my saying with complete seriousness “I am the Prince of Denmark” suggests that I believe that I am the Prince of Denmark. This in turn (hopefully) suggests that I really am the Prince of Denmark, which is what I want my new acquaintance to believe.

So, another possible suggestion is that a deceptive liar must intend to deceive his audience about his believing what he says.

\[DL_4\] You **deceptively lie** to X if and only if:
- You assert that p to X.
- You believe that p is false.
- By asserting that p, you intend X to infer that you believe that p is true.

This definition correctly rules in prototypical instances of deceptive lying as well as the crime boss’s claim that there are no rats in his organization. Also, this definition still correctly rules out the bald-faced lie (from subsection 2.2) that the accused bank robber was innocent. In that case, the witness did not intend anyone to believe that she believed that the defendant was innocent.

30. By contrast, in the movie The Departed, the crime boss tells the suspected rat that there are rats in the organization, hoping that the rat will do something rash that will confirm his identity.

31. If Tony had said “I am sure that there are no rats in my organization,” he would be deceptively lying according to DL. With this statement, Tony would intend to deceive Sal about what he (Tony) believes about the matter.

32. If Sal later found out what his boss knew and when he knew it, Sal would almost certainly say that Tony had lied to him.

33. Tony’s statement is literally true because there are clearly no members of the genus *Rattus* in the organization. However, Tony clearly means (and Sal understands him to mean) that there are no informants in the organization, which is false. And this is what is required for someone to be lying (cf. Davis 1999, 23; Fallis 2009, 37).

34. The fact that someone asserts that p is usually a pretty good indication that he believes that p is true. Even if you happen to know (as Sal does in this case) that p is false, it is often still reasonable to conclude, on the basis of his assertion of p, that a speaker believes that p is true.

35. There are certainly circumstances in which the fact that someone asserts that p is not very good evidence that p is true (cf. Hume 1748, section 10 on “Miracles”). For example, unless I am dressed to the hilt at a fancy party in some national capital, my asserting “I am the Prince of Denmark” would probably suggest that I am crazy rather than that I am royalty. But it might still suggest that I believe that I am the Prince of Denmark. And, if I did not really believe this, I would seem to be lying.
However, it turns out that $DL_4$ is also too tight as a definition of deceptive lying. A liar can intend to deceive people about $p$ without intending (or even expecting) to deceive people about whether she believes that $p$ (cf. Davidson 1985, 88; Mahon 2008, section 1.6). For example, consider the following case (cf. Newey 1997, 98): Two conmen, Henry and Johnny, want to trick their mark, Doyle, into buying shares of Acme Corp. The plan is to gain Doyle’s trust and then for Henry to tell him that Sproggit Corp. is about to launch a takeover bid for Acme Corp. (No such takeover is in the works.) Unfortunately, while he ends up trusting Johnny, Doyle discovers that Henry is untrustworthy before the rest of the plan can be carried out. As a result, Henry and Johnny modify their plan. Before Henry tells Doyle about the Sproggit takeover, Johnny manages to convince Doyle that Henry is rather incompetent when it comes to business.\footnote{In Newey’s original version of the case, the trusted conman tells the lie about the Sproggit takeover and the other conman simply repeats it later on. But this case works as a counter-example to $DL_4$ even if the mark only hears about the Sproggit takeover from one of the conmen.} In particular, he convinces Doyle that, whenever Henry believes that a company is not going to be taken over, it will be (and vice versa).

If you have developed a reputation for insincerity, people will tend not to believe what you say. However, if you still want to deceive people (as Henry does), there are at least three things that you can do. First, you can regain people’s trust and then start lying to them again. Second, you can say the opposite of what you want people to believe (cf. Augustine 1952 [395], 57). In that case, if you say something true (e.g., that Sproggit will not take over Acme), you can expect them to conclude, given that they believe you to be insincere, that your claim is false. Thus, they will end up believing something false (viz., that Sproggit will take over Acme). Finally, you can (as Henry does) convince people that you are incompetent (as well as insincere), and then continue lying to them. In that case, if you say something false (e.g., that Sproggit will take over Acme), you can expect them to conclude, given that they (correctly) believe you to be insincere, that you do not believe that your claim is true. But you can also expect them to conclude, given that they (incorrectly) believe you to be incompetent, that your claim really is true.\footnote{If they correctly believed you to be incompetent, then all of their inferences would be correct and they would end up believing something true.} Thus, they will again end up believing something false (viz., that Sproggit will take over Acme).\footnote{As Newey (1997, 98) admits, “This example may be thought farfetched.” But as he goes on to point out, “it is relatively straightforward compared with some forms of confidence trick.”}

When Henry finally says to Doyle, “Sproggit Corp. is about to launch a takeover bid for Acme Corp.,” his statement is pretty clearly a lie that is intended to deceive. He is asserting something that he believes to be false and he intends to deceive Doyle about the Sproggit takeover by making this assertion. Thus, his statement seems like a perfectly good candidate for a deceptive lie. But Henry does not intend to deceive Doyle about his (Henry’s) beliefs about the takeover. In fact, it is part of his plan that Doyle correctly believe that he (Henry) believes that there is not going to be a takeover. Thus, while Henry’s statement is a deceptive lie according to $DL_4$, his statement is not a deceptive lie according to $DL_3$.

In the Sproggit case, Henry intends his audience to form a true belief about what he believes. But it is worth noting that there are also counter-examples to $DL_4$ where the deceptive liar intends to deceive his audience about $p$ but does not expect them to form any belief about what he (the liar) believes about $p$. For example, suppose that you are working as an anthropologist on an island solely inhabited by knights and knaves (cf. Smullyan 1978). The knights usually say what they believe to be true, and their beliefs are almost always true. By contrast, the knaves usually say what they believe to be false, but their beliefs are almost always false (cf. Lackey 2008, 53–54). As an anthropologist, you know all this about the natives. Thus, even though it is impossible to distinguish a knight from a knave by visual inspection, you know that you can pretty much rely on what any native of this island says to be true. One day, you come to a fork in the road on your
way to the capital city. Fortunately, there is a native standing there. So, you ask the native which fork will take you to the capital city. As it happens, the native is a knight. But he is in a very bad mood and he decides to direct you down the wrong fork. This native does not intend to deceive you about what he believes. He knows that you have no idea whether he is a knight or a knave. Thus, he knows that you have no idea whether he is likely to believe what he says. However, this native certainly intends to deceive you about which fork is the correct one.

2.5. Asserting that \( p \) with the intent to deceive about \( p \) or about believing that \( p \)

In the face of the crime-boss case and the Sproggit case, it might simply be suggested that a deceptive liar must intend to deceive either about \( p \) or about her believing that \( p \) (cf. Feehan 1988, 138; Mahon 2008, section 1.6).

\[
\text{DL}_\omega \text{ You deceptively lie to } X \text{ if and only if:} \\
\text{You assert that } p \text{ to } X. \\
\text{You believe that } p \text{ is false.} \\
\text{By asserting that } p, \text{ you intend } X \text{ to infer that } p \text{ is true or} \\
\text{to infer that you believe that } p \text{ is true.}
\]

While this definition correctly classifies the cases that we have considered so far, \( \text{DL}_\omega \) is probably also not an adequate definition of deceptive lying. For one thing, disjunctive definitions of this sort are typically thought to be problematic (cf. Weatherson 2003, 27–28). But in addition, \( \text{DL}_\omega \) also seems to be too tight as a definition of deceptive lying. For example, consider the following case (cf. Augustine 1952 [395], 57): Jerry tells his friend, George, that a dangerous street gang, the Van Buren Boys, does not hang out on Amsterdam Avenue, even though he believes that these bandits do hang out on Amsterdam. Jerry does this because he knows that George does not trust him and will conclude (correctly) that there are bandits on this road (and, thus, will steer clear of it). \(^{39}\)

39. In addition, Jerry must know that George is unaware that he (Jerry) knows

Jerry is pretty clearly lying to George. He is asserting something that he believes to be false (viz., that there are no bandits on this road). (In other words, he satisfies the conditions of \( L_\omega \).) However, Jerry is not deceptively lying according to \( \text{DL}_\omega \). Jerry does not intend to deceive George about there being no bandits on this road. He wants George to correctly believe that there are bandits on this road. Also, Jerry does not intend to deceive George about his (Jerry’s) believing that there are no bandits on this road. Knowing that George does not trust him, Jerry expects George to correctly believe that he (Jerry) believes that there are bandits on this road.

But while Jerry does not intend to deceive either about \( p \) or about his believing that \( p \), he does intend to deceive George (and this is critical to his plan to save George from the Van Buren Boys). In particular, Jerry intends George to believe that he (Jerry) intends George to believe that \( p \) (viz., that there are no bandits on this road). However, Jerry does not actually intend George to believe that \( p \). Thus, Jerry’s statement is arguably a good candidate for a deceptive lie.

Finally, it should be noted that this higher-order intention to deceive is not what is definitive of deceptive lying either. \(^{40}\) Deceptive liars rarely intend to deceive in this way. Deceptive liars (as well as truth tellers) typically intend their audience to believe that they intend their audience to believe that \( p \). But they also usually do intend their audience to believe that \( p \). For example, I have both of these intentions when I say with complete seriousness to my new acquaintance, “I am the Prince of Denmark.”

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\(^{40}\) We could rule in the bandits case by adding this higher-order intention as a third disjunct in the third condition of \( \text{DL}_\omega \). (Thanks to an anonymous referee for pointing this out.) But as noted above, it would be preferable to eschew disjunctive definitions and find a unified account of deceptive lying. For one thing, although our intuitions about such cases would certainly be strained, it should be possible to construct even more complicated “counter-suggestion” cases that would require even longer disjunctions.
2.6. A Davidsonian definition of deceptive lying
Before abandoning this project, we should consider one other suggestion as to what the deceptive liar must intend to deceive about. While Donald Davidson (1985, 88) does not offer an explicit definition of lying, he does make some very interesting comments on the topic. According to Davidson, “The only intentions a liar must have, I think, are these: (1) he must intend to represent himself as believing what he does not (for example, and typically, by asserting what he does not believe), and (2) he must intend to keep this intention (though not necessarily what he actually believes) hidden from his hearer.”

Davidson’s suggestion requires a bit of unpacking. Let us begin with the first part. It must mean something like the following: The liar must intend to represent himself as believing that \( p \) when he does not believe that \( p \). And if that is the correct interpretation of the first part of Davidson’s suggestion, then the second part of his suggestion is fairly straightforward.

\( \text{dl} \) You deceptively lie to \( X \) if and only if:
1. You assert that \( p \) to \( X \).
2. You believe that \( p \) is false.
3. By asserting that \( p \), you intend to represent yourself as believing that \( p \) is true.
4. You intend to hide your intention to represent yourself as believing that \( p \) is true.

It should be noted that \( \text{dl} \) is only a Davidsonian definition of deceptive lying; Davidson himself would probably defend a broader definition. First of all, his parenthetical remark suggests that a liar need only assert something that he does not believe to be true (cf. note 1 above). Moreover, the word “typically” in that same remark suggests that even this may not be absolutely required for lying. In fact, Davidson (1985, 88) also says that “while the liar may intend his hearer to believe what he says, this intention is not essential to the concept of lying; a liar who believes that his hearer is perverse may say the opposite of what he intends his hearer to believe. A liar may not even intend to make his victim believe that he, the liar, believes what he says.” Thus, someone could even lie by asserting something that he believes to be true.\(^{41}\)

However, as discussed in subsection 2.2 above, we would like a definition of deceptive lying that rules out cases where you say something true with the expectation that your audience will infer something false. Also, if we were to broaden the definition of deceptive lying to allow the liar to deceive about something other than what he actually says, we would be very close to returning to \( \text{dl} \) and would be open to the counter-examples to that definition (cf. subsection 2.2 above). In any event, my main worry about Davidson’s suggestion has to do with the two intentions that he says that a liar must have (i.e., with the third and fourth conditions of \( \text{dl} \)). So, I have stuck with the first two conditions from the previous definitions.

But before we get to my main worry, it should be noted that there are still a couple of issues that would need to be resolved in order for \( \text{dl} \) to be a viable definition of deceptive lying. First, it is not completely clear exactly what it means for you to intend to represent yourself as believing that \( p \) (cf. Simpson 1992, 629). It cannot simply mean that you intend your audience to believe that you believe that \( p \).\(^{42}\) With the Sproggit case (from subsection 2.4), we saw that a deceptive liar need not have this intention.

Second, this definition does not explicitly require that a liar intend to deceive. As noted in section 2 above, intending to deceive requires that you intend your audience to form (or continue to hold) a false belief (cf. Mahon 2007, 187–88). Admittedly, hiding an intention that you actually have might cause your audience to acquire a false belief.

41. For example, Davidson would probably count the following case as a lie (cf. Augustine 1952 [395], 57; O’Neill 2003, section 4): Jerry truthfully tells his enemy, Newman, that there are bandits on Amsterdam Avenue. He does this because he knows that Newman does not trust him and will conclude (incorrectly) that there are no bandits on this road (and, thus, may put himself in danger).

42. What you openly represent yourself as believing may be different from what you intend other people to believe that you believe. For example, while Henry represents himself as believing that there is a takeover bid, he intends Doyle to believe that he (Henry) does not believe that there is a takeover bid.
It is possible to deceive by “hiding the truth” as well as by “showing the false” (cf. Ekman 1985, 28; Bell and Whaley 1991, 48–49). However, intending to hide an intention does not necessarily imply that you intend your audience to form the false belief that you do not have this intention. For example, you might just want them to remain ignorant on the matter. So, in order for $DL_0$ to be a viable definition of deceptive lying, we would have to add the requirement that you intend your audience to form this false belief. Alternatively, we could reject $DL$ and say that simply intending your audience not to acquire a true belief counts as intending to deceive (cf. Chisholm and Feehan 1977, 144).

But however we resolve the foregoing issues, $DL_0$ is clearly too tight as a definition of deceptive lying. Deceptive liars typically do have the intention to represent themselves as believing that $p$. However, on any plausible interpretation of what this intention amounts to, deceptive liars do not always have the intention to keep this intention hidden. Deceptive liars (as well as truth tellers) often want this intention to be completely open. In fact, they sometimes go to great lengths to make manifest to their audience that they intend to represent themselves as believing that $p$. For example, a deceptive liar (or a truth teller) might assert that $p$ and then say “I swear that that is what I believe.”

David Simpson (1992, 630) claims that Davidson should actually require the deceptive liar to intend to hide (a) his intention to represent himself as believing that $p$ and (b) the fact that he does not believe that $p$. But the same objection to the definition would still apply. Also, while deceptive liars typically do want to hide the fact that they do not believe that $p$, there are exceptions. For example, in the Sproggit case and the bandits case, the deceptive liars do not want to hide the fact that they do not believe that $p$. Their deceptive plans only work because their audience realizes that they do not believe that $p$.

3. Two Alternative Definitions of Deceptive Lying

As we now see, it turns out to be rather difficult to identify some specific thing that all deceptive liars intend to deceive about. The explanation for this difficulty may be that there is no such thing. In fact, there may not be a concise list of necessary and sufficient conditions for deceptive lying that captures all of our intuitions about particular cases. There may simply be prototypical instances of the concept with different things falling closer to or further from these prototypes (cf. Coleman and Kay 1981).

In a similar vein, epistemologists have found it difficult to come up with a concise definition of knowledge that captures all of our intuitions about particular cases. Thus, it may be that there is also no short list of necessary and sufficient conditions for knowledge. In response to this situation, some epistemologists (e.g., Weatherson 2003) have recommended that we reject some of our intuitions and adopt a theoretically useful definition (e.g., that knowledge is justified true belief) that captures at least most of our intuitions. We might adopt the same sort of strategy with respect to deceptive lying.

There are essentially two ways in which we might give up some of our intuitions about particular cases in order to come up with a concise definition of deceptive lying. First, we might admit that some of the things we thought were lies are not lies, and narrow our definition. Second, we might admit that some of the things we thought were not lies are lies, and broaden our definition. In the remainder of this section, I consider these two alternatives in turn. Even if neither alternative captures common usage perfectly, they are both useful additions to a taxonomy of lying-like phenomena.

3.1. A narrow definition of deceptive lying

In the prototypical case, a deceptive liar intends his audience to conclude, on the basis of his assertion and on the assumption of his sincerity, that he believes what he says. The deceptive liar further intends his audience to conclude, on the basis of his believing what he says and on the assumption of his competence, that what he says is true.

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43. See Simpson (1992, 628–29) for further criticisms of Davidson’s suggestion. But it should be noted that the first part of Davidson’s suggestion (viz., that the liar must intend to represent himself as believing that $p$ when he does not believe that $p$) may be a pretty good characterization of lying in general (i.e., it encompasses bald-faced lies as well as lies that are intended to deceive).
However, the putative cases of deceptive lying considered in the preceding subsections (viz., the crime-boss case, the Sproggit case, and the bandits case) do not have this structure. In other words, these are non-standard cases that fall some distance from the prototypical instances of deceptive lying.

Furthermore, our intuitions about these non-standard cases of deceptive lying may not be very strong. For example, despite the fact that the man asserted something that he believed to be false about bandits not being on a particular road, Augustine (1952 [395], 57–59) was not completely sure that the man was lying to his friend. Thus, we might want to say that one or more of these non-standard cases are not really cases of deceptive lying (although they are all clearly cases of deception).

Mahon (2008, section 1.4) adopts just this strategy. In particular, he tries to save DL3 by claiming that the crime boss is not actually lying. However, if we are going to reject our intuition that the crime boss is lying, it strikes me that we should reject our intuitions about the other cases as well. Of the non-standard cases of deceptive lying considered in the preceding subsections, the crime-boss case seems to me to be the least controversial case of deceptive lying. Also, the Sproggit case (that Mahon wants to count as lying) is at least as questionable as the bandits case (that DL3 says is not a case of deceptive lying). Both cases involve what might be referred to as “counter-suggestion” (Newey 1997, 97) or “double-bluffing” (Morton 2006, 290).

If we are willing to say that none of these non-standard cases are really cases of deceptive lying, we might construct a definition that appeals to the structure of the prototypical instances of deceptive lying. In particular, it might be suggested that you deceptively lie if you say what you believe to be false with the intent to deceive your audience about what you say by deceiving them about your believing what you say (cf. Simpson 1992, 625Frankfurt 2005 [1986], 12–13, Faulkner 2007, 537–38).  

A simpler definition along these lines would just require that you intend X to infer (a) that p and (b) that you believe that p (cf. Kuper 1982, 116; Mahon 2008, section 1.6). But such a definition would probably be open to Gettier-like counterexamples where you intend X to infer that p, but not as a result of inferring that you believe that p (cf. Weatherson 2003, 28). In contrast, Paul Faulkner’s official definition is even more restrictive than DL3. In particular, you must intend that your audience believe what you say as a result of recognizing that you intend that they believe what you say (cf. Grice 1989 [1957], 213–23).

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45. A broad definition of lying in general might be proposed along the same lines. That is, you lie if you simply attempt to communicate something that you believe to be false. For example, if you openly pack a bag, even though you have frequently done this before and everyone knows that you are not going anywhere, there is a sense in which it is a “bald-faced lie”.

This definition clearly rules in the prototypical instances of deceptive lying. Also, in addition to ruling out cases of false implicature and statements that are followed with a wink or that are part of a play, DL3 clearly rules out the non-standard cases of deceptive lying considered in section 2 above.

3.2. A broad definition of deceptive lying

But there is another plausible way to construct a concise definition of deceptive lying. A few people (e.g., Simpson 1992, 630–31; O’Neill 2003, section 4; Meibauer 2005) have essentially suggested that you deceptively lie if you attempt to communicate something with the intent to deceive your audience about what you communicate.  

You attempt to communicate that p to X.
You believe that p is false.
By communicating that p, you intend X to infer that p is true.

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You attempt to communicate that p to X.
You believe that p is false.
By communicating that p, you intend X to infer that p is true.
It is important to note that there is a sense in which you can communicate something unintentionally (cf. Davis 1999, 25). For example, a bead of sweat running down your forehead might communicate that you are afraid. Also, there is a sense in which you can intentionally communicate something covertly. For example, if you wanted to trick Benedick into believing that Beatrice is in love with him, you might say to a companion (who is in on your little scheme) that Beatrice is in love with Benedick when you know that Benedick is concealed in the bushes eavesdropping on your conversation (cf. Shakespeare 1988 [1600]). But if you communicate, in either of these senses, something that you believe to be false, you are not lying (cf. Mahon 2008, section 1.4). Thus, the relevant type of communication for this definition is *intentional* and *open* communication.\(^\text{46}\)

Fortunately, there is an influential analysis of communication, due to Paul Grice (1989 [1957], 213–23), that captures the relevant type of communication. Admittedly, Grice was explicitly concerned with what a speaker means rather than with what a speaker communicates. But as several authors (e.g., Recanati 1986, 214; Blackburn 1998, section 1; Davis 1999, 23) have pointed out, Grice can be taken to be giving an analysis of communication. On this analysis, you communicate that \(p\) to \(X\) if you produce the belief that \(p\) in \(X\) by virtue of \(X\)'s recognizing your intention to do so. Thus, on this analysis, communication is both intentional and open (cf. Davis 1999, 26).\(^\text{47}\)

It is also important to note that, unlike lying, communication is a success term (cf. Davis 1999, 22–23). For example, on the Gricean analysis, you succeed in communicating that \(p\) to \(X\) only if \(X\) actually ends up believing that \(p\) is true. So, for a definition of deceptive lying, we should only require that the speaker attempt to communicate that \(p\).

Finally, it should be noted that, using the Gricean analysis of communication, the third condition of BD\(L\) is redundant. On this analysis, an attempt to communicate something that you believe to be false necessarily is an attempt to deceive. Even so, it is useful to explicitly state the third condition for the following reason: While pretty much everyone agrees that communication is a success term, philosophers disagree about exactly what counts as success. Contrary to the Gricean analysis, it seems possible to communicate something without producing any particular belief in an audience (cf. Fox 1983, 11; Recanati 1986, 216; Davis 1999, 23–24). For example, an innocent person “proclaiming his innocence in the face of a mountain of incriminating evidence” seems to communicate that he is innocent even if no one believes him.\(^\text{48}\) As a result, some philosophers (e.g., Searle 1969, 47; Recanati 1986) have suggested that you communicate that \(p\) to \(X\) as long as \(X\) simply understands that you mean \(p\) in virtue of \(X\) recognizing your intention to be so understood (cf. Blackburn 1998, section 2). However, since this paper is concerned with lies that are intended to deceive, it is not necessary to resolve this debate for our purposes here.

Using either of these analyses of communication, BD\(L\) clearly rules in the prototypical instances of lying (and anything else ruled in by DL\(_L\)). Simply asserting a proposition is one way of attempting to communicate that proposition.\(^\text{49}\) Also, BD\(L\) still rules out statements (e.g., those that are followed with a wink or that are part of a play) that are

\(^{46}\) Admittedly, BD\(L\) defines deceptive lying in terms of something else (intentional and open communication) that is also rather difficult to define. But it is still analytical progress to show how these two concepts are connected.

\(^{47}\) Even if you produce a belief in virtue of your audience’s recognizing your intention to produce that belief, you might have “sneaky intentions” (Grice 1989 [1982], 302). For example, even if you intend your audience to believe something and they recognize that you have this intention, you might intend that they believe that you do not have this intention. In order to rule out this possibility, we might need to require the audience to have a higher-order recognition of your intentions (cf. Blackburn 1998, section 2; Pagin 2007, section 7). But the first-order recognition that Grice requires is probably sufficient openness for deceptive lying.

\(^{48}\) The other examples given in section 1, above, of asserting without intending to produce any belief also seem to fall into this category. In addition, bald-faced liars seem to communicate (cf. Davis 1999, 31). A slightly weaker analysis of communication would just require that the audience believe that the speaker believes what she says (cf. Grice 1989 [1968], 123; O’Neill 2003, section 3). But this would still imply that bald-faced liars do not communicate.

\(^{49}\) Thus, this definition rules in the Sproggit case. Henry asserts exactly what he intends Doyle to believe.
believed by the speaker to be false but are not intended to deceive. For example, in such cases, the speaker does not, as the Gricean analysis requires, intend her audience to believe the statement.

But since you can attempt to communicate a proposition without explicitly asserting it, \textit{bdl} also rules in many non-standard cases of deceptive lying. In particular, it rules in all of the non-standard cases of deceptive lying considered in section 2 above. For example, by asserting that there are no rats in his organization, Tony attempts to communicate to Sal that he believes that there are no rats.\textsuperscript{50} As the Gricean analysis requires, he intends Sal to recognize his intention that Sal believe that he (Tony) believes that there are no rats. And since he intends to deceive Sal about his believing that there are no rats, he is deceptively lying according to \textit{bdl}. Also, Jerry attempts to communicate to George that he intends George to believe that there are no bandits on Amsterdam Avenue. And since he intends to deceive George about this, he is deceptively lying according to \textit{bdl}.

However, if we adopt \textit{bdl} instead of \textit{D\textsubscript{L},} we still have to reject some of our intuitions about particular cases. \textit{bdl} rules in statements that are intended to deceive but are believed by the speaker to be true.\textsuperscript{51} For example, when Saint Athanasius truthfully said that Athanasius is not far away, he attempted to communicate to the soldiers that he was not Athanasius. Thus, since he intended to mislead them into thinking that he was not Athanasius, he was deceptively lying according to \textit{bdl}. But as noted above, such cases of false implicature are not usually considered to be instances of lying.\textsuperscript{52}

In addition, “ironic lies” count as deceptive lies according to this definition (cf. Simpson 1992, 630). For example, if a teenager sarcastically says to a friend, “Yeah, right. I want Jimmy to be my boyfriend,” even though she really does like Jimmy, she is attempting to communicate something that she believes to be false (viz., that she does not like Jimmy) with the intent to deceive.\textsuperscript{53} In fact, \textit{bdl} even rules in the bald-faced lie (from subsection 2.2) that the accused bank robber was innocent. In that case, the witness attempts to communicate something that she believes to be false (viz., that she has the best interests of the defendant at heart) with the intent to deceive.\textsuperscript{54}

However, in the case of \textit{bdl} (as with the justified-true-belief definition of knowledge), there are important theoretical benefits to rejecting these intuitions. As I will discuss further in the next subsection, \textit{bdl} arguably captures exactly what is morally and epistemically critical about deceptive lying. According to Kant (1930, 228), something “is a lie only if I have expressly given the other to understand that I am willing to acquaint him with my thought.” But explicitly asserting what you (supposedly) think is not the only way to do this. In the case of a false implicature, for example, you attempt to communicate something that you believe to be false by asserting something else that you believe to be true. And, as noted above, such cases of false implicature can be as morally and epistemically objectionable as lying.

Moreover, actually saying something is not critical to communication. In particular, you can arguably communicate something that you believe to be false without saying anything at all (cf. Grice 1989 [1957], 220–23; Simpson 1992, 630–31; O’Neill 2003, section 4; McKinnon 2006, 29).\textsuperscript{55} For example, you can pack your bags in front of your room.

\textsuperscript{50} It is possible to communicate several different things at once (\textit{e.g.}, that there are no rats and that I believe that there are no rats). This fact is what allows \textit{bdl} to avoid the problem with \textit{D\textsubscript{L},} discussed in subsection 2.3, above.

\textsuperscript{51} According to some accounts of assertion, what is conversationally implicated \textit{is} asserted (cf. Fox 1983, 111, Pagin 2007, section 2.3). In that case, \textit{bdl} would be equivalent to \textit{D\textsubscript{L},} but these are not the standard accounts of assertion.

\textsuperscript{52} However, people sometimes do use the word ‘lie’ in this broad sense (cf. Ekman 1985; Twain 1996 [1899]).

\textsuperscript{53} The case described in note 41 is arguably another example of a true statement that counts as a deceptive lie according to this definition. In that case, Jerry attempts to communicate that he intends Newman to believe that he (Jerry) intends Newman to believe that there are bandits on this road. However, Jerry does not actually intend Newman to believe that there are bandits on this road.

\textsuperscript{54} \textit{bdl} does not include all bald-faced lies. It just includes those bald-faced lies that are intended to be deceptive in some way.

\textsuperscript{55} Saying something does not necessarily require uttering something out loud. For example, defenders of the standard philosophical definition of lying (\textit{e.g.}, Mahon 2008, section 1.1) think that you can lie by writing a letter or even by
mates in an attempt to communicate falsely that you are leaving on a trip (cf. Rescorla 2009, 119). Thus, a deceptive liar may just have to do something openly in X’s presence.\(^{56}\) As David Simpson (1992, 631) puts it in his discussion of lying, what is important is “the nature of the deception involved, rather than the medium by which the deception is achieved.” (So, Dr. House was not quite right when he said of patients, “If we don’t talk to them, they can’t lie to us, and we can’t lie to them.”)

Since bdl rules in deceptive bald-faced lies, this is clearly a broader definition of deceptive lying than we were initially aiming for. But deceptive lying would not be a very interesting concept if it turned out to be exactly the same as deception in general. Thus, it is important to note that bdl does not rule in all forms of deception.\(^{57}\) (In other words, bdl is not equivalent to i.d.) For example, when Tony Wendice plants false evidence in *Dial M for Murder*, he wants the police to mistakenly conclude on the basis of this evidence that his wife committed murder. But he is not attempting to communicate to the police that his wife committed murder (cf. Grice 1989 [1957], 217). For example, he does not, as the Gricean analysis requires, intend the police to recognize his intention that they believe this about his wife.

In fact, bdl does not even rule in all forms of verbal deception. For example, it rules out covertly deceiving eavesdroppers. Although you intend to deceive the concealed Benedick about Beatrice’s being in love with him, you have not attempted to communicate *to Benedick* that Beatrice is in love with him. For example, you do not, as the Gricean analysis requires, intend Benedick to recognize your intention that he believe this about Beatrice (or that he believe anything else). Thus, you have not deceptively lied to him according to bdl.\(^{58}\)

3.3. An objection to the broad definition of deceptive lying

Even though bdl does not rule in all forms of deception, it might be suggested that the forms of deception that it rules out are just as morally and epistemically problematic as the forms that it rules in, and for essentially the same reasons.\(^{59}\) In other words, it might be suggested that the phenomenon captured by bdl is not very interesting from the perspective of ethics or epistemology. In order to evaluate this suggestion, we need to look a bit more closely at why deception and deceptive lying are wrong.

Several people (e.g., Bok 1978, 18–20; Williams 2002, 93; Faulkner 2007, 535) have suggested that deception is wrong because it is an attempt to manipulate people. When people are deceived (*i.e.*, when they are led to have false beliefs), they often do not make the same choices that they would have made based on accurate information about the world. Such manipulation can easily cause people to make choices that are harmful to them and, even if no other harm results, it still arguably violates their autonomy (cf. Kagan 1998, 106–16). As a species of deception, deceptive lying is wrong for the same reasons. But, as several philosophers have pointed out and as I discuss below, it involves attempting to manipulate people in a very specific way that is arguably morally and epistemically significant.

Communication with other people is an extremely important source of knowledge. Much of our knowledge comes from what other people tell us rather than from our direct observation of the world

\(^{56}\) As an anonymous referee points out, there are a couple of provisos here: The deceptive liar would have to openly do something in an attempt to communicate. For example, wiping off a table in front of the police in order to destroy fingerprint evidence without their realizing it would not count as a deceptive lie. But the deceptive liar would not have to openly do something in the immediate physical presence of his audience. For example, the bag packing could take place during a videophone call.

\(^{57}\) Barry O’Neill (2003, section 4) also points out that “not all deceptions are lies, of course. The well-known example of carrying a suitcase out of a house to make my neighbor think I am going on a trip is [not] a lie because there is no communication.” Unlike packing your bags in front of your roommates, it is not common knowledge between you and your neighbor that you have taken this particular action.

\(^{58}\) A deceptive liar must intend to deceive the person with whom she is attempting to communicate (cf. Chisholm and Feehan 1977, 156; Mahon 2008, section 1.4; Fallis 2009, 40).

\(^{59}\) I would like to thank Peter Lewis for pressing this worry.
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Wendice plants false evidence in order to frame his wife, he does not offer any assurance to the police that this evidence is veridical.\(^6\) He is not inviting the police to trust him and then betraying that trust. In order to invite someone to trust you, you have to openly communicate with this person. It is this openness that is the critical distinction between deceptive lying and deception in general (cf. Simpson 1992, 625; Moran 2006, 286).

As with deception in general, deceptive lying is morally objectionable because it is an attempt to manipulate people by causing them to acquire false beliefs. But deceptive lying has additional moral costs. In particular, deceptive lying puts an important source of knowledge at risk for everyone (cf. Bok 1978, 26–27). The practice of deceptive lying erodes the trust that people have in communicative acts. As Kant (1949 [1797], 347) put it, “[S]o far as in me lies I cause that declarations in general find no credence.” For example, Sissela Bok (1978, 68–70) describes the difficulty of learning much from letters of recommendation given the common practice of inflated recommendations. By contrast, deception in general (e.g., Wendice’s deceptive act) does not undermine interpersonal communication.

When philosophers tell this sort of story about the moral and epistemic significance of lying, they typically focus on people’s explicitly telling us false things. However, the foregoing story also applies, more generally, to what people openly communicate. In particular, people offer their audience some assurance that what they communicate is true (cf. Sperber and Wilson 1991, 384; Adler 1997, 435–36; Williams 2002, 96–97). For example, while Athanasius did not explicitly assert that he was not Athanasius, he did openly, albeit tacitly, offer some assurance to the soldiers that he was not Athanasius.\(^6\) Similarly, the crime boss does not say that he believes that there are no rats in his or-
organization, but he offers some assurance that he believes this. There is a social norm against openly communicating false things, and not just against asserting false things.\(^\text{65}\) And Athanasius and the crime boss are subject to rebuke for violating this norm, but Wendice is not.\(^\text{66}\)

While there seems to be fairly broad agreement among philosophers that conversational implicatures provide assurance that what is implicated is true, there is some dispute with respect to other communicative acts. In particular, a few philosophers (e.g., Kant 1930, 226; Adler 1997, 444) claim that no assurance is given that you are leaving on a trip even if it is common knowledge that you are packing your bags (and that this standardly means that you are leaving on a trip). According to Kant, “I have not lied to them, because I had not undertaken to express my mind.” However, it is not immediately clear what condition for such expression is lacking in the bag-packing case. My own intuition is that you are subject to rebuke for packing your bags in front of your roommates in a way that Wendice is not. Like Athanasius, you have “lied to their faces”.

In any event, the way in which an individual communicates something false may have an impact on the degree to which she is subject to rebuke. For instance, all other things being equal, explicitly telling someone something false may be more objectionable than merely implicating something false. Speakers arguably do not take full responsibility for the truth of what their statements imply. Their audience bears some of the responsibility for the truth of what they infer.

65. Admittedly, some of Grice’s (1989 [1975], 27) conversational maxims (e.g., “Do not say what you believe to be false”) are explicitly stated in terms of what the speaker literally says. However, he also thought that these maxims hold with respect to what the speaker implicates or communicates (cf. Grice 1989 [1975], 33; Rysiew 2007, 292).

66. More specifically, Athanasius misled the soldiers by violating Grice’s (1989 [1975], 26) maxim of quantity. In other words, he failed to make his “contribution as informative as is required (for the current purposes of the exchange).” Also, it should be noted that, while Wendice is not violating the social norm against openly communicating false things, he is certainly violating other social norms.

4. Conclusion

According to the standard philosophical definition of lying, you lie if you say something that you believe to be false with the intent to deceive about what you say. While the existence of bald-faced lies shows that this definition is too narrow, it might still be suggested that the standard philosophical definition captures the type of lie that

67. Interestingly, the fact that the audience bears some of the responsibility might actually make cases of false implicature morally worse than insincere assertions. In addition to the harm of being misled, the audience suffers the embarrassment of being “duped into collaborating on his own harm” (Adler 1997, 442). Con artists actually count on this reaction as a way of keeping their marks from going to the police (cf. Snyder 1986, 36).

68. For the same reason, a witness has to say something that is literally false in order to be convicted of perjury (cf. Green 2006, 136–37). It is the responsibility of the attorneys to seek clarification of any statement that might be misleading.

69. I think that you can even communicate that a certain state of affairs obtains by showing someone a photograph. For example, this is how the private detective in the movie Blood Simple communicates to his client that his client’s wife and her lover are dead. As it happens, the detective doctored the photograph in order to deceive his client. (The lovers are not actually dead.) Thus, the detective was deceptively lying according to BDL. As Richard Moran (2006, 282–83) points out, a photograph, unlike an assertion, can serve as evidence that a state of affairs obtains independent of anyone’s assurance. But when you show someone a photograph, you still tacitly offer your assurance that the photograph is veridical and, thus, that the state of affairs obtains. Even if you had not doctored it yourself, you would certainly be subject to rebuke if you knew that the photograph was misleading (cf. Adler 1997, 444). But since your audience could potentially evaluate the photograph for themselves, you might be subject to less rebuke than someone who explicitly asserted that the state of affairs obtains.

(cf. Green 2006, 79). For example, Athanasius not being far away is perfectly consistent with his being right here. As a result, if the soldiers had been sufficiently skeptical, they could have inquired further to rule out this possibility.\(^\text{66}\) Nevertheless, there is still a social norm against openly communicating false things even if its strength varies from case to case.\(^\text{69}\) So, my claim is that the important difference between deceptive lying (as defined in BDL) and deception in general is that only deceptive lying involves “lying to their faces.”
philosophers are primarily interested in (viz., lies that are intended to deceive). In this paper, however, I have argued that the standard philosophical definition is not adequate as a definition of deceptive lying either. Finally, I have argued that, although they each require that we reject some of our intuitions about particular cases, there are two plausible definitions of deceptive lying.  

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