

A Moral Comparison between Lying and Misleading: of Care and of Truth

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Abstract

Is there a moral difference between lying and misleading? Some philosophers argue that lying is worse than misleading, especially in that lying is a direct violation of Truth (e.g., Chisholm and Feehan, 1977; Webber, 2013), and some argue that the moral relevance between lying and misleading does not exist (e.g., Jennifer Saul 2012). There is one particular argument that states people should better lie, as defended by Rees (Rees, 2014). Rees' central argument is that misleading is a greater betrayal of the deceived's engagement in the conversation than lying, which is a more significant harm. In this essay, I will demonstrate how Rees' argument stems solely from the Care of the deceived and argue that people should also consider the perspective of Truthfulness. The two perspectives, of Care and of Truth, form a two-axis plain that separates the discussion into four sections and discusses them separately. For the scope of this paper, I discuss only scenarios where Care is at stake but the Truth is not and the scenarios where Truth is at stake but Care is not, both in which I argue lying and misleading are morally equivalent.

1. A Review of Rees' argument

Lies and misleading statements are both forms of deception, differing in their methods and implications. A lie is a direct falsehood, where the deceiver asserts something they believe to be untrue with the intent of deception. In contrast, misleading involves presenting accurate information that leads others to a false conclusion. Misleading relies on the deceived party's interpretation of the true assertion. While both practices aim to deceive, lying is a more straightforward violation of Truth, whereas misleading manipulates the context or presentation of facts. Consider the classic example of a mother asking about the well-being of her son, who passed away one hour ago. If the responder says, "Your son is fine," knowing this to be false, he is lying. Alternatively, if the responder, knowing her son died, says, "Your son was fine yesterday when I met him yesterday," which is true, they are misleading using the implication of his words.

In Rees' moral evaluation of lying and misleading, she introduces a key concept as the "obligation and cooperation" of the conversant. Rees explains that in communication, individuals have an epistemic and moral responsibility to trust their conversational partners' assertions and implicatures, assuming there are no prior reasons for distrust because there is a natural conversational convention that makes conversations more efficient and effective. For example, if one asks, "Do you use an iPhone?" the responder might say, "I use a Huawei?" The responder's answer does not directly address the question rigorously, but he manages to give a negative answer through implication and conveying more information. For such an activity to happen, as Rees describes, it requires the cooperation of the conversant, and there is an obligation to fulfill it.



Lying exploits this trust by deceiving through false assertions, whereas misleading exploits it further by deceiving through factual statements that imply falsehoods. Since misleading requires the deceived to infer and trust these implicatures, it involves a deeper level of cooperation and trust from the deceived. Therefore, Rees argues that misleading takes more advantage of the deceived person's epistemic and moral obligations than lying. Given that an action is morally worse if it involves greater exploitation of another's obligations or goodwill, Rees concludes that all else being equal and misleading is morally worse than lying. Mislead leverages the essential trust in explicit statements and the deeper trust in the inferred, implied meanings, thus constituting a more significant betrayal of trust and cooperation.

Rees also points out that misleading can sometimes be better than lying in specific contexts, like political interviews, where conversants expect potential deception. In such cases, the deceived is more vigilant and critical to evaluating statements. Since misleading in these contexts cannot be successful, as the listeners can keep pressing for direct answers because they do not trust the implications, misleading can be seen as morally better since it would exploit the trust of assertions that still exist.

In section 2, I examine the nature of Rees' argument and determine that it stands on the perspective of the Care of the deceived. In section 3, I present that merely considering the Care is counterintuitive, thus adding the crucial factor of Truth into the argument. The two perspectives of Care and Truth divide the problem into four quadrants. In section 4, I argue that Rees' argument falls only into this category and that lying and misleading are morally equivalent. In section 5, I, by combining Webber's argument and Rees' argument that misleading is sometimes better, present that we should prefer misleading over lying in this case. Quadrant 1 and 3, as they are not part of Rees' argument, will not be in the range of this essay. In section 6, I review my entire argument.

2. Rees' Argument is an Argument of Care

In arguing that lying exploits only the trust of the deceived that one's assertions are honest, whereas misleading also exploits the "goodwill" of the deceived in believing a deeper mutual conversational cooperation, Rees is essentially evaluating the morality behind lying and misleading from the perspective of the Care towards the deceived. Care, as I define it, is a perspective where the importance of relationships and the keeping and well-being of others is considered significant. Rees' emphasis on betraying trust through lying and misleading shall be considered a case of Care.

In her argument, Rees highlights the moral and epistemic obligations within a mutual conversation, as well as the conventional trust of the conversational partners. She states, "There is an epistemic and moral obligation to accept both others' assertions and their implicatures" (p. 61). The premise of a conversation is that another party must be addressed, as is the premise of lying and misleading. Such obligations are built upon a relationship, and its fulfillment is built upon the moral responsibilities of that relationship. Just as Rees states, "responsible epistemic agents are epistemically interdependent and epistemic cooperation

requires presuming fellow conversant cooperative" (p. 61). Rees' argument sees this obligation, or cooperation, as the basis of lying and misleading; this obligation involves a mutual relationship and is about Care.

Furthermore, Rees' argument that misleading is worse than lying stems from the way that misleading "exploits the deceived's rational faculties" and "relies to a much greater extent on her willingness to cooperate with and to trust her deceiver" (p. 59). Her argument criticizes the betrayal of trust within misleading, which focuses on relationships and interactions, so this is again about Care.

Rees' argument does not have a deontological perspective that relies on absolute moral rules or principles that apply universally regardless of context. Her argument depends on the degree to which the deceived's trust and cooperation can be exploited, which varies through the specific nature of the conversation, such as in court or casual settings. For example, Jonathan Webber's article "Liar!" demonstrates deontological inclinations as it emphasizes the intrinsic moral wrongness of lying based on the principle of Truthfulness. Through this analysis, what is missing in Rees' argument becomes clear: a deontological factor, and in the sake of lying and misleading, the factor of Truth..

3. The Factor of Truth

Can people imagine a world of lies? A world where people choose to lie without considering the Truth? It is counterintuitive to choose to lie whenever one attempts to deceive. There may be rare cases where one requires deceiving someone who trusts him so much that he would consider his trust over any other moral factors. However, in reality, when one is about to lie most of the time, the first moral obstacle that comes to his mind would be the violation of Truth, or at least this violation will never be forgotten, for it is the common social demand to respect Truth.

The absence of a consideration of Truth makes Rees' arguments counterintuitive. This essay aims to add this new perspective to Rees' argument to form a moral evaluation of lying and misleading based on two variables: Care and Truth. A coordinate system that separates the discussion into four quadrants is shown below. The four quadrants will be discussed respectively below.

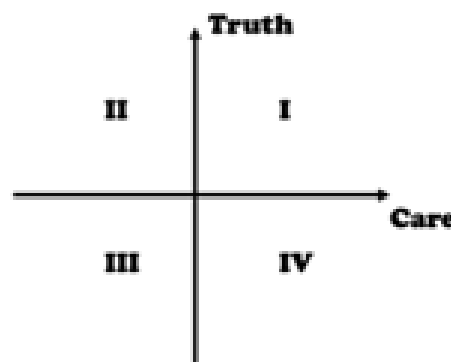


Fig.1 The plain of the two factors that separates the discussion

Questions may arise on how the four quadrants differ. When we acknowledge that Care and Truth are both virtues we aim to pursue, it seems implausible for there to be anything negative such as Care Truth. In the negative quadrants, the discussion is neither on scenarios where people do not recognize Care or Truth as a virtue nor where people recognize falsity or disregard but on instances where either Care or Truth is comparatively less at stake. For example, in the case that Rees provides, the "interview in which Michael Howard evades each repetition of a question by Jeremy Paxman," "Howard persists with [misleading] long after it becomes clear that his initial attempt to mislead without lying has failed" (p.63). Since it became clear that Howard was misleading, he could neither harm his audience through assertion nor implicature (the two wrongs of misleading that Rees pointed out), for it would be impossible for an audience that knows his intentions to be deceived by him, so Care is not at stake in this situation. However, as a member of the parliament, Howard is greatly responsible for telling the Truth to fulfill the duty of transparency, the legitimacy of his legislation, and the prevention of repercussions. Therefore, this case shall be assigned to quadrant two.

4. The Fourth Quadrant

Rees' argument lies in quadrant four. As discussed previously, it is an argument of Care, and as it neglects the factor of Truth, it should naturally fall into quadrant four. Consider the example below.

Arnold and Ashley are close friends who trust each other completely. Arnold is sending Ashley to take her SAT. He knows that Ashley has been preparing for this test for a year, and since it is the last SAT test before Ashley's college application, he is aware that Ashley needs to succeed in the test. On the way, Arnold receives the news that Ashley's whole family died, which he knows will devastate Ashley. When Ashley explicitly asks Arnold how her family is, he has to choose between the following two options to deceive Ashley:

(L1) Your family is fine.

(L2) When I met your mom this morning, she was very happy.

In this example, we know that Care is at stake because Arnold and Ashley are friends who should naturally have genuine mutual Care, or else the premise of this example will no longer exist. In this case, Arnold would be concerned about the betrayals he gives to Ashley. Truth, however, is not at stake comparatively. First, Arnold will deceive Ashley into believing her family is fine to ensure she makes the test. To deceive Ashley is the actual end of his actions; whether to lie or mislead is only the mean of his actions.

In contrast, as a member of the parliament, Howard must fulfill the truthful condition; this, then, will make Truth an end of the action. Second, based upon Rees' characterizations of the obligation and cooperation between conversant, lying, and misleading violate the Truth equally.

As Rees states, "responsible epistemic agents are epistemically interdependent and epistemic cooperation requires presuming fellow conversant cooperative" (p. 61); this obligation and cooperation is a necessary component of the conversation. In this example of Arnold and Ashley, who have complete mutual trust, the obligation and cooperation are enhanced and strengthened to a certain degree. They can consider it a completely reliable faculty in their conversation that persists. Arnold speaking to Ashley would be like he is using WIFI while talking to her through WhatsApp: speaking in person will not make a different moral judgment than talking online. While Arnold is aware that Ashley will believe him if he lies, he should also be aware that Ashley will fully believe his implicature. There is no difference in the result violation of Truth, so Truth is not at stake in this case.

Rees' argument may apply on this ground, in this fourth quadrant of Care and not of Truth. Her arguments urge Arnold to lie because lying involves less betrayal of Ashley's involvement in the conversation. However, assuming Ashley has finished the test and discovered Arnold's deceit, consider her trust in Arnold when she asks a second question afterward. If Ashley had been lied to before the SAT, based on Rees' measurement, she would have trusted Arnold's implicature but not assertion since lying leaves the implicature unharmed. If Ashley had been misled before the SAT, she would have preferred a lie the next time because it would have given her less harm. Both situations seem counterintuitive.

The problem is whether Arnold lies or misleads; he assumes the existence of the conversational obligation and cooperation, which he will break regardless of his choice. When Arnold has the option of misleading in mind before he ever says anything, their obligation and cooperation must pre-exist, or else he would not have the option of misleading. As Rees' choice puts it, if Arnold chooses to mislead, he betrays Ashley's trust in both the assertion and implicature. However, when it comes to lies, obligation and cooperation are built into the conversation, existing regardless of the type of assertion. If Ashley can form an implication from the misleading assertion, she also will inevitably form an implication when it is a lying assertion. When Ashley realizes the assertion is a lie, that implication is also betrayed, whatever that implication is, making the betrayal equivalent to lying and misleading when Ashley asks the first question.

Furthermore, notice that the obligation and cooperation in the implication are based on that of the assertion. When Ashley asks Arnold the second question after Arnold lies in the first, or in fact, any question later on, she will not be able to trust the unbetrayed implicature, for the assertion is the premise of the implicature. The implicature breaks down along with the assertion as the lie is made. From this perspective, misleading is also equivalent to lying.

One possible difference remaining is that in Ashley's first question, misleading betrays more obligation and cooperation than lying. This might not be mitigated by the betrayal of the implication created by lying since the implication can vary significantly through contexts. However, Ashley's initial inquiry would seem minor compared to all the possible questions later. Ashley could have told Arnold previously that she wants absolute Truth in whatever

circumstance, but this would have changed our assumption of the truth factor and brought the problem to another quadrant.

5. The Second Quadrant

Plenty of examples may fall into the second quadrant besides the one of Michael Howard. A situation in which the deceived party has no reasonable expectation of full cooperation or complete trust. In contrast, the situation demands the deceiver to be truthful and can fall into this category. Negotiations between rival companies or advertising and marketing are examples of such. Between the rival companies, there is no expectation of mutual trust or Care, and beneficial aims mark the situation; both parties anticipate strategic deception, yet if any party lies, say remaining silent when a building is falling, they may face legal sanctions. As misleading relies on the deceived party's active cooperation and greater trust in their deceiver's implicatures, this expectation is minimal in business negotiations because both sides are wary and less likely to assume cooperative goodwill beyond the explicit terms. So, if deception can be assumed not to happen, then the problem of Care does not exist.

The selection between lying and misleading in this case is simple: to mislead. Here, we can directly borrow Webber's arguments (Webber, 2013), as they consider the effect of lying and misleading credibility:

To be caught lying damages your credibility in assertion. [...] If you have been caught making misleading statements, then those who know this about you should be wary of believing the conversational implicatures of your assertions. (p.652)

One can damage one's credibility in implicature without thereby damaging one's credibility in assertion. [...] To damage one's own credibility in assertion, therefore, is also to damage one's credibility in implicature. (p.652)

Misleading is better than lying because it primarily damages credibility in implicature rather than in assertion. This means that while misleading makes others wary of the implied meanings in one's statements, it leaves the direct assertions intact and trustworthy. In contrast, lying undermines both types of credibility, making it far more damaging to trust and Truthfulness in communication. Then, misleading is the better choice in quadrant four.

Rees also presents an argument supporting misleading in this case. As in the example presented in section 2, when it became clear that the deceiver was trying to mislead so that the trust in implicature disappears if the deceiver remains attempting to mislead, he will strengthen his credibility in assertions by showing that he would not lie in any circumstances. Thus, misleading is the better option here.

6. Review and Conclusion



I reviewed Clea Rees' moral evaluation of lying and misleading in this essay. Developing on her argument, which inclines towards lying, I introduce the perspective of Truth into Rees' argument of Care and establish that Rees' arguments stem from only one of the four circumstances. Further, I argue that the two options are morally equivalent because misleading and lying provide the same damage to both the cooperation of assertion and implicature.

References:

1. Chisholm, R. M., & Feehan, T. D. (1977). The intent to deceive. *The Journal of Philosophy*, 74, 143–159.
2. Saul, J. M. (2012a). *Lying, misleading, & what is said*. Oxford: Oxford University Press.
3. Rees, C. F. (2014). Better lie! *Analysis*, 74(1), 59-64. <https://doi.org/10.1093/analys/ant104>
4. Webber, J. (2013). Liar! *Analysis*, 73(4), 651-659. <https://doi.org/10.1093/analys/ant104>