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INTELLECTUAL HONESTY

ABSTRACT. Engaging a listener's trust imposes moral demands upon a presenter in respect of truth-telling and completeness. An agent lies by an utterance that satisfies what are herein defined as signal and mendacity conditions; an agent deceives when, in satisfaction of those conditions, the agent's utterances contribute to a false belief or thwart a true one. I advert to how we may fool ourselves in observation and in the perception of our originality. Communication with others depends upon a convention or practice of presumed nonuniversal truthfulness. In support of an asserted duty of nondeceptiveness, I offer a reconciliation of pertinent Kantian passages, a sketch of arguments within utilitarianism, contractarianism, and other views, and an account arguing for application of that duty to assertions, implicatures, omissions, equivocation, prevarication, and sophistry insofar as they affect listeners' doxastic states. For scholarship, this duty is exceptionless. I describe the kernel of intellectual honesty as a virtuous disposition such that when presented with an incentive to deceive, the agent will not deceive. Intellectual honesty delivers candor when it counts. I contrast this with complementary virtues and the surpassing virtue of ingenuousness. An account is given of the connection between intellectual honesty and an influential physical model of integrity.

Scientific societies and governments have recently urged attention to "research integrity." What they have in mind is not integrity as philosophers have variously understood that attribute, but instead the avoidance of several named wrongs. Under the impress of government phrasemaking, the canonical taxons of wrongdoing in respect of truth-telling have become fabrication, falsification, and plagiarism. Each of these notions wants for a definition. In the case of 'fabrication,' even as T. S. Eliot writes of a "brave attempt to fabricate something permanent and holy out of his personal animal feelings," he reminds us of the term's nonmoral sense, that in which scientists fabricate devices, experimental apparatus, and constructs such as hypotheses. The only moral sense found in ordinary usage is expressed by metaphor: to fabricate is to 'make up' something, to 'manufacture an illusion,' or to produce something factitiously. 'Falsification' too has had a nonmoral career, as in Popper's thesis that

the logic of scientific inquiry is to be understood by reference to falsification of hypotheses. To define a moral sense, we must harken to the Old English 'false,' a predicate applied to a dissembler, and to the fencer's use of 'to falsify' ('to make a deceptive move'). Better still, for clarity's sake we could ascend a level in generality. The genus of which fabrication and falsification are species is misrepresentation.¹

Here my concern is not merely the definition or taxonomy of wrongs. I am concerned to account for and establish moral duties and virtues. Suppose that in a published paper, we spot a canard. We judge that the author has acted wrongly. Why do we think that? It may be that the author has violated a legal norm. It may be that the law of the jurisdiction treats deception as a disqualifying condition for receiving public funds, thus filtering out candidates whose conduct betrays a mediocre capacity for research. Yet for most of us, violation of law would not exhaust our case. We would want to say that perpetrating that canard was not merely *malum prohibitum*, but *malum in se*. What then are the grounds for condemning it? Or deception in general? The exercise that I believe will yield an explanatory account consists in studying what are the virtues or duties constitutive of or binding in respect of intellectual honesty. Intellectual honesty, so I hope to show, is what we reach when we canvass, in ascending order of burden, the duties and virtues pertinent to an utterer's interaction with a listener.

After defining terms in §1, I present in §2 a formal account of lying, and in §3 present grounds for a duty of truthfulness. In view of reasoning that follows upon David Lewis's elucidation of a convention of truthfulness and trust, this duty is not predicated upon an expectation of universal truthfulness, to self or to others. After observing how easily we may fool ourselves in observation, I suggest in §4 that originality is not as different from borrowing the ideas of others as we may usually assume. Showing why the standard arguments against plagiarism are not decisive, I state a straightforward argument why it is wrong.

In §5, after defining deception of others, I define candor and nondeceptiveness. I present a scheme for understanding deception in light of two influential views. I propose a duty of nondeceptiveness by extension of the reasoning that grounds the duty of truthfulness. I go on in §6 to consider two putative exceptions to the duty of nondeceptiveness. I conclude that for the arena of scholarship, this duty is exceptionless.

Given the foregoing framework, in §7 I assert that the kernel of intellectual honesty consists in a virtuous disposition to eschew deception when given an incentive for deception. I give an account of this virtue relative to other dispositions with which it nests. I conclude by suggesting in §8 that whether one countenances a deceiver's recovery of trustworthiness may depend upon how one understands integrity.

1. THE LEXICON OF TRUTHTELLING

I shall refer to scientific as well as all other scholarly research collectively as *scholarship*, and to practitioners as *scholars*. I take as given the predicates *true* and *false* as the available truth values of an *utterance*, which, following Quine, is an event in which a sentence token is uttered (Quine 1970, 13–14). When used to present information, not only prose and speech, but graphs, photographs, and other means of expression may convey sentence tokens. On this understanding, an utterance occurs in the case of such demonstrative acts as that of a biologist who once painted mice so that they would appear the color predicted by his hypothesis. A *listener* is anyone, including a reader or viewer, to whom an utterance is uttered. A *truth* is a true utterance, a *falsity* or *falsehood* a false one.

Thus far the foregoing terms carry no moral significance, but they do pose philosophical problems. Sometimes it is said that scholarship is the pursuit of truth. Plato described lovers of knowledge as born to pursue truth.² In discussing Epimenides' liar paradox, Paul Benacerraf once remarked, "Where truth lies we may never know, but that it lies is beyond doubt." As a description of scholarship, 'the pursuit of truth' seems inadequate even as to scope. One could be said to pursue truth by making trivial observations (e.g., 'there are quite a lot of stars'). A cliché even among scholars, 'truth' is occasionally an object of whimsy—e.g., as alternate moniker of top, the most massive quark. My reason for employing the notions of truth and falsity is that if we are to understand intellectual honesty, we cannot ignore the circumstance that investigators frequently aim at the accurate description of reality. It may not be possible to avoid some epistemological commitments by use of the foregoing terms. We do not commit to any view that scholarship is the pursuit of truth merely because we recognize that scholars value true utterances over false ones. Of course many scholarly endeavors

such as poetry and fiction may involve no pretense of accuracy, and some may not even aspire to verisimilitude.

I take *truthtelling* to denote veridical speech, or the issuing of true utterances *vis-à-vis* false utterances. I shall predicate *truthful* of an agent who on a given occasion does not assert anything that the agent believes false. (Although ‘truthful’ could be used to describe the truth value of a sentence token, for that purpose we have ‘true.’) I use ‘assert’ here in the familiar committal sense, a sense given formal expression in §2.

Only in assertions is a truthful agent obliged to avoid uttering a falsehood. A truthful agent may write fiction, may hold forth as a wag or raconteur. Even in assertions, a truthful agent need not always be accurate. In the sense that I have defined, one truthfully asserts a falsehood if one believes one’s assertion true.

Truthfulness or *veracity* is the attribute of being truthful. *Untruthfulness* or *mendacity* is the attribute of being untruthful. *Veraciousness* is the disposition to be truthful. To possess that disposition is to be *veracious*. The *duty of truthfulness*, for which arguments are given in §3, is the duty to be truthful.

We sometimes hear ‘honest’ used synonymously with ‘truthful’ (as in ‘an honest witness’) and even ‘true,’ and hence ‘honesty’ in place of ‘truthfulness’ and even ‘truth.’ While untruthfulness may reveal dishonesty, I take truthfulness to be insufficient for honesty, this for two reasons. First, honesty as the disposition I understand it to be requires veraciousness.³ Secondly, while Kant connected cheating to truthfulness, defining cheating as “a lying promise” (*Lectures on Ethics* 27: 449),⁴ we ascribe ‘dishonest’ to an agent when, though no promise or lie occurs, the agent embezzles, or flouts trade rules to drive a competitor from business. We may neglect the amusing distinction drawn by the redoubtable ward boss George Washington Plunkitt between ‘honest graft’ and ‘dishonest graft’ (Riordan 1963, 3–6). Honesty (from *honestus*, or ‘honorable’) includes a disposition not to cheat, steal, or violate norms of fair play. My concern is truthfulness and veraciousness, the ambit suggested by ‘intellectual’ honesty. As with honesty plain, one can slip into ascribing ‘intellectual honesty’ or ‘intellectual dishonesty’ to acts and practices. But for clarity’s sake, I shall reserve those nouns for dispositions, leaving the corresponding adjectives for agents possessing the dispositions, and for their acts and practices.

2. THE SIGNAL AND MENDACITY CONDITIONS

On the unfortunate occasions when a scholar stoops to untruthfulness in print, we are inclined to say that the scholar has misrepresented something. Seldom do we use the word 'lie.' Surely in ordinary discourse we are not preferring Hume's use of 'represent' as 're-present.' Perhaps we think that in omitting data from a paper, there is less culpability than in falsely protesting, apropos last night's burglary, 'I was home in bed.' Jurisprudential reasons too suggest that, insofar as the remedy may be public censure, misrepresentation may be the appropriate offense to police. (It is unclear what influence jurisprudence exerts on ordinary language, but that I leave aside.) At least some of the time, it may only be politeness that accounts for scholars' forbearance from use of the word 'lie.'

The concept of a lie incorporates more than Kant's notion that a lie is "the contrary of truthfulness." A lie is commonly understood as an utterance that the utterer does not believe and yet delivers with intent to deceive. A further condition is sometimes assumed, namely, that the utterance is false. One even hears 'lie' occasionally ascribed to an innocently uttered falsehood that has vexed a listener; that misnomer would be dispatched, on the common understanding, by a reminder that a lie requires an intent to deceive. But intent to deceive is too strong a condition for lying. If we demand intent to deceive, we must exonerate an utterer if the utterer does not intend deceit *per se*, but merely wishes a listener to believe a false utterance.

What we can say is that a liar does not merely state a view and concede a belief in it. The liar signals an expectation or desire that the listener think that the liar believes what the liar says. That notion I incorporate in the following definition.

A *lie* is an utterance of *p* such that
 [1] under the conditions of utterance, the listener will be justified, so the utterer believes, in believing
 [a] that the utterer believes *p*, and
 [b] that the utterer intends to induce the listener's belief that the utterer believes *p*, and
 [2] the utterer believes *p* to be false.

This definition I have adapted from an account by Chisholm and Feehan (1977). I call clause [1] the *signal condition* and clause [2] the

mendacity condition. The signal condition is a condition for charging an utterer with eliciting a listener's trust. The condition echoes Kant's point that an untruth "is a lie only if I have expressly given the other to understand that I am willing to acquaint him with my thought" (*Lectures on Ethics* 27: 447–448, 700). No lie occurs, reasons Kant, if he goes about packing his luggage hoping that others will infer that he is about to embark on a trip, when in fact he plans to stay home. In such case, "I have not undertaken to express my mind." Subclause [a] of the signal condition is fulfilled when an utterer intends to induce belief in the utterer's self-conviction. The use of 'justified' in this condition is epistemic, not moral. Subclause [b] captures the utterer's intent to be overt about the utterer's belief, or what we understand by *talking seriously*. I now define the verb *to assert* (in what I earlier called the 'committal' sense) as to utter so as to satisfy the signal condition.

The signal condition is not met only by the cant of a politician on the stump. The signal and mendacity conditions mark the inducement and betrayal of trust. The mendacity condition describes a doxastic state associated since antiquity with the concept of a lie. "More hateful to me than the gates of Hades," says Achilles, "is the man who hides one thing in his heart and says another" (*The Iliad* 9.312–313). Everyday conversation draws listeners into trusting the veracity of utterers. These conditions are in play in the following example. If Sleepy is to succeed in lying to Grumpy about something purportedly observed in the forest, Sleepy needs to act so that it appears to Grumpy that Sleepy believes Sleepy's tale. Sleepy could adduce evidence and argument; at minimum, Sleepy must appear deliberately to be offering his tale for belief by Grumpy. The minimal act of offering would appear to be a deliberate display of Sleepy's own belief in the tale. This will induce Grumpy to believe that Sleepy's credibility, even if Sleepy says no more, has been offered in support of what Sleepy says. Sleepy's display of self-conviction to Grumpy as an intended listener will cloak an utterance by Sleepy of what Sleepy does not believe with the mantle of a lie. But Grumpy may not be persuaded by the mere fact of Sleepy's belief. Grumpy may suspect that Sleepy was dozing. Sleepy may need to do more in order to persuade. Should Sleepy go further, say, by relating purported evidence for the dubious observation, culpability may be greater.

The definition of a lie embeds distinctions brought out in the following cases adduced by Chisholm and Feehan. (i) *U* intends, by

uttering a true and believed p , to deceive a listener V who is known always to disbelieve U . Such utterance is not a lie, since U does not believe p false. (ii) U knows p to be false and utters p intending to deceive V , known always to distrust as well as to disbelieve U , into believing the true $\sim p$. This too fails to be a lie. Knowing that V thoroughly distrusts U , U would not believe that the mere utterance of p would justify V in believing that U believes p . (iii) U says, "The weather will be good tomorrow," but has no belief whether the weather will be good or not. We might say that this is reckless foisting, but it is not a lie. What has been asserted is not believed false. What is false—that U believes 'the weather will be good tomorrow'—has not been asserted. (iv) U intends a false utterance to be overheard by V , but does not act so as to signal engaging V in conversation. In such case V cannot be justified in believing that U intends to induce any belief by V . (v) U does not know the source of a noise heard downstairs, and, though not owning a rifle, yells, "I'm getting my rifle," thereby intending to frighten any burglar. If there in fact is a burglar, U has not lied. A lie involves an actual, not a hypothetical, listener. (Does this example indulgently suggest that one can lie in a published paper only to a specific reader with whom one intends to communicate? In publishing, one understands there to be many actual readers.) (vi) U , fully meeting the signal condition, utters something believed false that *per accidens* is true. U 's act is an instance of truth-telling but not of truthfulness. It is a lie. This is the correct though curious moral conclusion even if, at law, one would not proscribe a true lie.

On the foregoing understanding of truthfulness and lying, if the duty of truthfulness obtains, the duty not to lie obtains. When acting truthfully, an agent does not assert anything that the agent believes false, and hence does not lie. The reverse implication also holds. When refraining from lying, an agent does not utter so as to satisfy the signal condition anything that the agent believes false, and hence the agent is truthful. Thus the duty of truthfulness obtains if and only if the duty not to lie obtains.

3. THE DUTY OF TRUTHFULNESS

Activities of listening, reading, and viewing in the process of education occasion a listener's trust of an utterer. Publications and lectures, significations seemingly as formal as any, leave little doubt

that a scholar is talking seriously, that the utterer displays belief in what the utterer presents. Such methods of delivery also virtually assure that any deception will have some influence. Scholarship is one of our most sophisticated arenas of trusting public communication.

Few moral acts have been more popular than truthtelling for drawing out differences between moral theories in action. As we canvass rival theories for their verdicts pertinent to scholarship, we find a consensus on prescribing truthfulness.

3.1. *Kantian Morality*

Consider this maxim: ‘I should be truthful in general but may lie when I think it necessary to extricate myself from a predicament.’ In respect of Kant’s formula of universal law, the first form of the categorical imperative, we discover that for a rational being acting as such to will this maxim as a universal law of nature would work a contradiction in conception. In a community living by that law, people would expect that much of what they hear is untruthful. Hence lies would not succeed in deceiving. So to what moral law does the formula of universal law take us? The formula of universal law states only a necessary condition of a moral law, not a sufficient one. It does not provide a complete decision procedure. Kant uses the formula of universal law to eliminate various maxims from consideration, and occasionally (as in his discussion of mutual aid and the two examples that I shall shortly mention) to argue for a duty. But usually in setting forth the basis of a duty, he has recourse to two other sources. He applies the second and third forms of the categorical imperative, and he takes stock of obligatory ends in the sense introduced in the *Doctrine of Virtue*.

The second form of the categorical imperative commands thus: “Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end.” Here ‘humanity’ refers to capacities characterizing earthbound human beings, namely, reason (distinguished from the mental powers of nonhuman animals by the ability to choose ends), understanding, and moral feeling.⁵ To lie is to violate this formula of humanity. In lying, an agent misuses the agent’s human capacity to communicate, employing that capacity for an end other than the capacity’s natural truthful purpose. Lying also renders an agent an object of contempt in the eyes of others. In

both these respects, the agent violates what Kant asserts as a duty to respect oneself. The agent veritably throws away the dignity of humanity in the agent's own person.

The foregoing is Kant's argument in chief that the duty of truthfulness is a duty to oneself as a moral being. But of course lying also misuses the listener. The liar manipulates the listener to serve some end of which the listener is unaware, which end the listener therefore cannot share. That is no way to treat an end-in-himself. The liar disrespects the autonomy of someone whom one should regard as a fellow originator of the common moral laws of a moral commonwealth. Thus does lying also violate the third form of the categorical imperative, the formula of the kingdom of ends.⁶

To clarify this further, I mention examples given by Kant.⁷ In a famous example, a murderer knocks at a homeowner's door and asks whether a friend of the household whom the murderer is pursuing has taken refuge in the home ('On a Supposed Right to Lie' 8: 425–430). Kant reasons that were we to transform into a universal law a maxim that permits lying so as to avert harm from murderers at the door, the result would be that "statements (declarations) in general are not believed." Supposing a contradiction in willing that maxim, Kant declines to approve a lie to the murderer. It has been argued to the contrary that a maxim allowing lying to a presumed murderer at the door could be willed without contradiction (Korsgaard 1996, 136–154). Because the latter maxim's observance would not undermine the practice of truthfulness in most circumstances, a murderer taking pains to disguise intentions would often assume that the disguise works, and hence would expect a homeowner to speak truthfully. Therefore a lie to a murderer could work. In order convincingly to support Kant's condemnation of a lie in this circumstance, one must make the earlier described appeal to the second and third forms of the categorical imperative.

Inasmuch as Kant's refusal to allow a lie in this situation may strike many of his readers as unreasonable, Korsgaard proposes a revised Kantian account. In it, she assigns the second and third forms of the categorical imperative to ideal theory, the theory applicable when no evil occurs. She assigns the first form to nonideal theory, to what we use in all other circumstances. The first form is then taken to allow universalized maxims of truthfulness into which exceptions are carved for encounters with evil. Among the encounters may be meetings with wrongful questioners.

For his part, Kant considers the contention that one may justify lying to a murderer at the door on the ground of preventing harm to one's friend. Kant concludes that such contention presumes too much about one's ability to control events. Were it to happen that the homeowner mistakes the friend's whereabouts, a lie by the homeowner could backfire and lead to the friend's death. Kant is content to leave the matter there. He sees no need to deny, as did Grotius and Constant, that the questioner lacks a "right to the truth." Nor does Kant suggest, as does Bernard Williams, that not everyone equally deserves the truth.⁸ Truth, insists Kant, is not a possession (cf. "existence is not a predicate"). We too may leave aside whether a right or desert obtains. Even if it were the case that persons hold unequal entitlements or desert claims to the truth, members of a scholar's audience would seem to be among the least likely to be unentitled or undeserving.

In the second example, Kant supposes that he has been victimized by a swindler's dishonesty (*Lectures on Ethics* 27: 444, 447–448).⁹ Yet thereafter, for whatever reason, he declares to the swindler, "I mean to speak my mind." (He satisfies the signal condition.) He then speaks untruthfully to the swindler. Kant's verdict is that he has become guilty of lying. It does not make any difference that the swindler would lack a leg on which to stand were the swindler to complain. Kant's concern is the damage to mankind that would follow from universalizing a maxim that an agent who has professed earnestness may lie. When an agent "declares that he wishes to express his thoughts, he must also do it, for otherwise there can be no sociality among men." Otherwise "the human craving for knowledge would be thwarted." Again the contrary view may be urged that a maxim of truthfulness containing a narrow exception for lying to one's immediate defrauder is universalizable. In any case, we have still to ask which universalized maxims constitute our duty. Here Kant's text supplies another claim, this a claim that gets a hook into the second form of the categorical imperative. One who professes to speak one's mind enters into a *pactum* with the listener, a *pactum* that untruthfulness breaches. Such a breach, Kant may say (though he does not in this passage), dishonors humanity in one's person.

"To be truthful in all declarations," Kant concludes, "is therefore a sacred command of reason prescribing unconditionally, one not to be restricted by any conveniences." Like most negative duties, this is a perfect duty: the specificity of its command does not allow

latitude. (An imperfect duty allows latitude because it enjoins promotion of some end without specifying exactly how to promote it, and occasionally yields to another duty.) It therefore appears that Kant has echoed Augustine (who too posed a case of sheltering an innocent fugitive) in asserting an exceptionless duty of truthfulness.¹⁰

But according to the *Lectures on Ethics* (27: 448), one exception does arise. The reasoning for this begins from the observation that “since men are malicious, it is true that we often court danger by punctilious observance of the truth.” Suppose a villain who approaches, demands information—as in “Where’s your money?”—and, intending to use the information for a wrongful purpose, threatens force. Kant approves a lie to this villain, calling it “a weapon of defense.” Two circumstances are justificatory: the coercion and the planned wrongful use of the coerced information. This lie Kant assimilates to the robbery that might otherwise occur. “Whether my admission or my money is extracted, is all the same.” Either way, the villain violates the autonomy of a rational agent.

Kant does not reconcile his approval of lying to someone threatening force against oneself with his condemnation of lying to a murderer threatening someone else. On my definition of lying, we could reconcile the two verdicts as follows. The villain threatening oneself lacks sufficient reason to justify the belief that someone whom he threatens, and thereby frightens, believes whatever answers such victim offers. Hence, *contra* Kant’s assumption, the false response of this person accosted is not a lie. The murderer at the door either believes that he has successfully disguised the menace that he poses, or he does not. In the former case, the murderer has reason to believe that the homeowner is unwary and has no incentive to lie. In the latter case, and even if the murderer deliberately appears menacing, it is not obvious that a homeowner given a threat that on its terms is deflectable to someone else will speak untruthfully. Thus in either case, the murderer has a justified belief that the homeowner believes what the homeowner says. It follows that a false response from the homeowner (speaking seriously, as we may assume) will be a lie. If there occurred a threat to the homeowner, we would be back to the case of the villain threatening the accosted, but otherwise the lie does not qualify as an exception to duty within Kant’s account. Kant leaves the matter with this statement: “There is no case in which a necessary lie should occur, save where the declaration is

wrung from me, and I am also convinced that the other means to make a wrongful use of it.”¹¹

Although we have thus found an exception to duty, we have found only one, and its mention occurs only in the *Lectures on Ethics* from the pen not of Kant, but of his notetaking student Collins. Within a Kantian theory, one could fashion arguments for other exceptions.¹² That exercise I do not pursue here. Rather I draw guidance from how Kant speaks of the *pactum* undertaken in professing to speak one’s mind. Professors profess. To the actions of scholars as members of a community, we might apply Kant’s ideal of a realm of ends. In a realm of ends, one disrespects one’s fellow members if one manipulates their autonomous reason by untruthfulness. That we humans are all free and equal beings places upon everyone the demand that, when professing, they accord respect to everyone else.

3.2. *Other Views*

I turn to other moral theories. I propose to sketch common ground in respect of truthfulness in scholarship.

Act utilitarianism may be understood to acknowledge only one duty, the principle of utility. According to a standard objection, act utilitarianism commands a lie if in the circumstances, the aggregate expected utility from lying exceeds the aggregate expected utility from truthfulness. So it might be supposed that act utilitarianism would command a scientist to deliver an untruthful public utterance if to do so seems more likely to foster the public good, as somehow conceived, than would truth in the circumstances. But act utilitarianism is not blind to the detrimental aggregate effects of intermittent untruthfulness. In critical moral thinking, the level within the utilitarianism of Richard M. Hare at which act utilitarian reasoning occurs, one adopts only prescriptions that are universalizable when imagining others’ preferences as one’s own. One cannot, as Kant would say (*Groundwork* 4: 424), make an exception of oneself. For Hare, a prescription of truthfulness is a universalizable prescription. Hare even claims that his reasoning, predicated on imagining others’ preferences as one’s own, coincides with Kant’s.¹³ Here Hare refers to the categorical imperative’s injunction not to use others for ends that, by virtue of concealment, the others cannot share, and to Kant’s remark that when we fully honor the duty of beneficence, we make others’ ends our own. (Contrary to Hare’s exegesis, it must be said that ends and binary preference relations are not the same, but

this I leave aside in order to compare only verdicts on lying.) The duty of truthfulness thus grounded operates as a rule immune from reconsideration during the stresses of everyday intuitive moral decisionmaking. The duty may be reconsidered, through critical moral thinking, only in a cool hour.

For J. S. Mill, “the trustworthiness of human assertion” is “the principal support of all present social well being.” Untruthfulness threatens civilization (Mill 1861, 29–30). By civilization, Mill understands a social order built of education and public discourse.¹⁴ He associates lying, a “vice of slaves,” with lack of education. (One might rejoin that the heights of civilization also seem to produce remarkable mendacity.)¹⁵ Whereupon Mill speaks as a rule utilitarian in espousing the “sacred” rule of truthfulness. But, he continues, “this rule, sacred as it is, admits of possible exceptions; the chief of which is when the withholding of some fact (as of information from a malefactor, or bad news from person dangerously ill) would save an individual . . . from great and unmerited evil, and when the withholding can only be effected by denial.” Or a rule utilitarian might imagine an index set of beings for which aggregate preference satisfaction when allowing an exception for lying to murderers at the door exceeds that when not allowing that exception. (Here for the sake of argument we must venture to suppose interpersonally comparable utility measures. Without them, utilitarianism renders no verdicts.)

It would be an unusual society that required each of its members to pursue knowledge for its own sake. But scholars voluntarily take up that quest. We may imagine scholars as members of the just society envisioned by Rawls. In the original position, representative parties, regarding all persons as free and equal, choose principles as they would in legislating for a kingdom of ends. They resolve upon natural duties. Impartial reasoning leads to agreement on the duty of truthfulness. Thereafter in conformity to the chosen principles of justice, a society thrives on cooperation for mutual advantage. All citizens confine their public advocacy to public reason. The ideal of public reason demands, *inter alia*, that a citizen’s reasoning in a public forum be valid and well-informed (Rawls 1993, 212ff.).¹⁶ Public reason does not accommodate lying in general public discourse, nor, *a fortiori*, in the published work of scholars. Scholars are also members of voluntary associations (as Rawls would categorize professional societies) or “the ancient and universal company

of scholars” (as evoked by Harvard in conferring degrees), within which untruthfulness threatens the attainment of shared goals.

W. D. Ross recognizes a *prima facie* duty of truthfulness, predicted upon “the implicit undertaking not to tell lies which seems to be implied in the act of entering into conversation (at any rate by civilized men) or of writing books that purport to be history and not fiction” (Ross 1930, 21). Chisholm and Feehan suggest that a liar becomes culpable because a listener has a right to expect that an utterer believes an assertion. Recalling Kant’s reply to Constant, one may say that an utterer ought not violate a trust that the utterer induces. Typical scholarly communications induce trust.

Virtue ethics concerns itself with explicating what relevant virtue a virtuous person would exhibit. On truthfulness, it echoes Aristotle’s description of a person who, regardless whether “something is at stake,” is truthful “because his character is such” (*Nicomachean Ethics* IV 7, 1127b). Veraciousness is a virtue, its neglect a vice.

Some philosophers who espouse the ethics of virtue hold that the pertinent virtue is not a disposition, not a tendency to act, but an excellence. This point is not peculiar to veraciousness, but applies to virtue in general.¹⁷ I shall not say more here in defense of my understanding of veraciousness as a disposition rather than as something else, because without damage to my account, anyone who understands virtue differently may replace veraciousness, and the other dispositions to which I shall refer, with an excellence or other attribute constitutive of virtue in respect of acting in the referenced way.

Virtue ethics reserves a place in morality for *phronesis*, the practical wisdom of which Aristotle speaks, and eschews talk of duties as such. We might therefore expect this view to grant more pleas for exceptions than do various deontic accounts. But an account of virtue ethics can issue in “guidance”—even “instruction” and rules. In this case, we have ‘Cultivate veraciousness,’ and more precisely, ‘Do not lie.’ Hursthouse points to Aquinas as an ally in virtue ethics who regards the latter rule as an “absolute prohibition.” To which she adds that were someone prone to appraise situations as necessitating lying to avert a greater evil, that would be “the mark of someone lacking in virtue.” Thus may a virtue ethics account insist on truthfulness and veraciousness, condemning lying as do other accounts. To which it seems fair to add that its reasoning seems to lean on considerations already adduced by deontic accounts, and that it does not provide as compelling a case for holding the line against exceptions as do its deontic rivals.

I postpone to §§5 and 6 consideration of what, if any, tenable exceptions arise as to scholarship.

3.3. *The Alternative*

There is more to be said for the duty of truthfulness by considering the alternative. Liars exert over listeners what G. J. Warnock called the power of “operating self-interestedly on their beliefs” (Warnock 1971, ch. 6). This is the effect that Kant saw. The liar manipulates the rational faculties of another autonomous being, imposing the burden of feeling manipulated. Even if a liar’s motivation is self-advancement alone, with no desire to harm others, harm to others can ensue. In science, untruthfulness can cause readers to waste time and resources (as in attempting to replicate or to extend a misrepresented experimental result). Damage from untruthfulness may cumulate. Perhaps one reason is that, as Mark Twain is reported to have remarked, a lie can travel halfway round the world while the truth is putting on its shoes. Laxity about truthfulness can degenerate into a practice of lying. There may even occur a multiplier effect. The damage from n lies, it has been suggested, may exceed n times the damage from one (Harrod 1936). These are all reasons to value the very appearance that everyone shuns deception. If, as in scholarship, someone or some publication will likely disseminate one’s utterances, the only successful way to affect that appearance is for persons in fact to shun deception.

Untruthfulness fosters suspicion of deception—which, argues Warnock, can produce more harm than deception itself. Provoked at the slightest hint of deception, suspicion spreads. It would seem folly to imagine a system in which agents signal deception as to some utterances and signal truthfulness as to others. What warrant would there be that the signals were truthful? So much then for “secret” lies, the practice of which, as Harrod has said, would leave everyone suspicious of everything. We recall the implausibility of Communist propaganda. What renders suspicion virulent is the belief that deception is easy.

Successful communication may not be the only rationale for truthfulness,¹⁸ but it is one reason. Or more generally one may say, as does Kenneth J. Arrow, that trust and truth-telling constitute market externalities functioning as “lubricants of a social system” (Arrow 1972, 23, 26). Echoing Mill, Arrow observes that societies “whose economic development is backward” characteristically lack

those externalities. Consequentialist analysis leans heavily on the premise that unless a practice of truthfulness is seen to be nearly uniform, communication may collapse. Kant too argues that without truthfulness, “social intercourse and conversation become valueless” (*Lectures on Ethics* 27: 444).

3.4. *Nonuniversal Truthfulness*

When from any moral point of view, we contemplate a proposed duty of truthfulness, we have to be concerned about the probable incidence of untruthfulness were that duty propounded. Is there a minimum of truthfulness that communication, or a well-lubricated social system, requires? Let us explore this.

In David Lewis’s account, a population uses a language \mathcal{L} if and only if there prevails a convention—a regularity of action and belief—of truthfulness and trust in \mathcal{L} (Lewis 1969, chs. IV(4) and V(4); Lewis 1983, 163–171, 182). Defining truthfulness as I have earlier, Lewis defines trust as a tendency to impute truth to others’ utterances. \mathcal{L} is in use, even though lies occur, so long as the conventions of truthfulness and trust are generally observed. But it is incoherent to say that \mathcal{L} is used by a population consisting entirely of agents who are untruthful more often than not.

By contrast, in his contractual account of interpersonal duties, Thomas M. Scanlon dissociates truthfulness from convention, firstly because he wishes to say that truthfulness is a duty insofar as one may argue for that duty by adducing reasons that others could not reasonably reject, and secondly because he sees the harm of untruthfulness as falling on people, not on conventions.¹⁹ In response to the first consideration, I offer the simple suggestion that convention and duty are not mutually exclusive. We may collectively establish conventions to serve moral ends. We may find for practical reasons that if we wish to avoid what we see as morally significant harm to persons, we must agree amongst ourselves to abide by some convention that protects against that harm. To cite an analogy prominent within Rawls’s contract view, the institutions of the basic structure of a just society are public systems of rules forming what we may understand as large scale conventions. These institutions generate legitimate expectations for income and wealth. Citizens who labor in accordance with the rules acquire moral claims, namely, entitlements to income and wealth. The society conforms more or less to principles of justice installed by agreement among

hypothetical representative parties in a suitably constructed contractual situation, but the institutions do not originate from that agreement. The institutions form at later constitutional and legislative stages of the polity. (Even if one tried, one might have difficulty constructing sufficiently many eminently reasonable conditions on the original position to generate the rules of institutions.) It seems natural that institutions would form without express reference to principles of justice or morality, yet become so important that one finds reason to make compliance with them a moral duty. Surely if there exists any convention in human affairs, language is one. Truthfulness plays a critical role in the success of language. We may understand truthfulness as a subconvention that a moral account may plausibly elevate to a duty. Secondly, the notion that the wrong of lying is to the listener, not to a convention, seems to suppose a false dichotomy. The listener suffers harm because the listener relies on the convention of truthfulness that the utterer breaches. Harm occurs to the listener by dint of breach of the convention. Williams seems to say that harm occurs by violation of trust, itself explicable as a convention. What does trust command if not observance of the convention of truthfulness?

Insofar as truthfulness is a convention, and even if it is not, we still have the question whether successful communication, or the coherence of a moral duty, requires some minimum incidence of truthfulness. Consider three cases.

(1) *Universal lying* would seem the nadir of communication. To be sure, in Lewis's account, one finds the interesting notion that universal lying in \mathcal{L} can be understood as universal truthfulness in anti- \mathcal{L} , a language consisting of the sentence tokens of \mathcal{L} with opposite truth conditions. But if we consider that the negations of many false sentence tokens of a given \mathcal{L} (e.g., 'This is Tuesday') will be uninformative, the notion of truthfulness in anti- \mathcal{L} does not appear satisfying. We should pause to consider whether universal lying is even possible. For Peter Winch, who understands the distinction between true and false as a consequence of, rather than as a predecessor of, a practice of truthfulness, it is self-contradictory to speak of a language whose users do not adhere to a norm of truthfulness (Winch 1972, 61). On the other hand, Elliott Sober contends that Kant, in applying the formula of universal law, is mistaken to think that universal lying is impossible. Sober presents a model suggesting that universal lying could occur but would be unstable—by inducing mistrust, it would eliminate the advantage of lying (Sober 1994).

Kant's analysis, it should be explained, does not so much suggest that as an empirical matter, universal lying could not occur, as it suggests a contradiction for a rational agent acting as such in willing that one may lie *ad libitum* within a community of agents who lie *ad libitum*. One who wills deception must wish that listeners do not always expect everything that they hear to be a lie.

(2) *Universal truthfulness* might appear to be the apotheosis of moral behavior, but we must recognize that it too would probably be unstable. If it were understood that everyone is always truthful, that belief could produce a remarkably credulous population. While a given person's credulity might be held in check by the knowledge that each agent's truthfulness does not guarantee truth-telling on every occasion, the population's known credulity could pose a powerful temptation to lie.

(3) *Nonuniversal truthfulness* appears to be the circumstance of successful communication. Donald Davidson's principle of charity, in various versions, suggests that successful interpretation of another's utterances requires that one minimize the ascription, to the other, of false beliefs and inexplicable error (Davidson 1980; Davidson 1984). We should assume that most of what another says is true. Yet if we do only that, success in communication will not be assured. We also need to be comfortable in assuming that others are mostly truthful. Bertrand Russell related that he once asked G. E. Moore if he had ever told a lie, to which Moore replied that he had. That reply, Russell said, was "the only lie I ever heard Moore tell." But in everyday life, so we observe from recent episodes in the business world, lying seems prevalent. In respect of the foregoing assumptions as to our language community, how much is "most," or "mostly"?

Sober, using a model of the biological equivalents of lying—mimicry and camouflage—suggests that even in nonsentient species, a preponderance of truth-telling is likely to evolve. For this reason, Sober demurs to the suggestion that we posit a principle of charity. Instead he would say that a preponderance of truth-telling is an advantageous evolved behavior. (Sober also argues against Lewis that when lying is widespread, there is no obvious true statement in an anti- \mathcal{L} to exchange for a given lie in \mathcal{L} . Sober mistakenly supposes an anti- \mathcal{L} in a mere case of nonuniversal lying, whereas for Lewis the notion that liars in \mathcal{L} are truthfully using an anti- \mathcal{L} only applies when there occurs universal lying in \mathcal{L} . Even for a population of inveterate liars, if they do not lie all the time one

would merely say that \mathcal{L} is not being used by them.) How much truth-telling is a preponderance?

The microbiologist Bernard Davis has written, “It is often said that science is self-policing and corrects misinformation, whether due to error or to fraud. But this is true only for important findings. The large majority of reports are not significant enough for anyone to build on, and so the innumerable errors that they contain go undetected and uncorrected” (Davis 2002). In respect of obscure errors, “if they do not mislead anyone they cause little loss,” but “fraud involving ... spectacular discoveries ... is ... likely to set other investigators on a false trail,” and “by that very token it is likely to be detected.”

Consider also that fissures in communication can be repaired. It seems that all we can reliably say is that truth-telling and truthfulness must be sufficient—how to quantify this, we do not know—to maintain confidence in communications within a relevant linguistic population.

4. FOOLING OURSELVES, ORIGINALITY, AND PLAGIARISM

A familiar effect of untruthfulness is that after an agent lies, the agent may be inclined to lie again, to compound successive lies in order to cover an initial one. The agent may later come to believe the previous lies. Whether *self-deception* occurs is a special case of a long-standing question. Can I believe both p and $\sim p$, can I lie to myself? Chisholm and Feehan suggest that one can at least lie to one’s future self: I might inscribe on my calendar for next Wednesday a note containing some untruth, an untruth chosen to discipline myself against some expected weakness of mind on Wednesday. We may allow as follows for the possibility that self-deception occurs. Let us stipulate that the mendacity condition of a lie, the condition that ‘the utterer believes p to be false,’ will be met when the utterer of p either (i) believes $\sim p$ or (ii) believes that the truth value of p is unknown while also believing p .

The costs of self-deception, Bishop Butler contended, include inaccurate self-images and distortion of judgment. Self-deception amounts to treating one’s rational nature solely as a means (*Doctrine of Virtue* 6: 429–430).²⁰ There may even occur a rippling effect. Convinced of a false p , if p entails q , a liar may reinterpret or distort the perception of other phenomena that suggest $\sim q$ in

order to hang onto q . This ill is fecund and capable of begetting more of itself, transmitting to others, and working a kind of cooperative deception. Perhaps the ultimate loss consists in the inability to recognize when truth is an option. An investigator may descend into underachievement and needless further deception even though the investigator could obtain commendable results without being untruthful. Perhaps the experiment accomplished enough to be reportable, warts and all. Perhaps if published with the outliers, the data would provoke other investigators to fruitful conjectures.

Kant holds that respect for humanity in one's person requires that one not deceive oneself (*Doctrine of Virtue* 6: 429–430). On the other hand, Harsanyi holds that his version of rule utilitarianism does not forbid self-deception (Harsanyi 1982, 62). I shall only observe that if doxastic voluntarism—the view that beliefs are voluntary—is true, moral responsibility may attach to self-deception insofar as it contributes to speaking untruthfully to others. Thus Polonius: “This above all: To thine own self be true, And it must follow, as the night the day, Thou canst not then be false to any man” (*Hamlet* I.iii). Richard Feynman echoes the advice. “You must not fool yourself—and you are the easiest to fool After you've not fooled yourself, it's easy not to fool other scientists.”²¹

Even with the best of intentions, none of us can by mere strength of will—not even by what C. I. Lewis conceived (Lewis 1955, 34) as the scholar's “tacit professional oath never to subordinate the motive of objective truth-seeking to any subjective preference”—entirely preclude fooling ourselves in observation. On an expedition to West Africa coincident with the total eclipse of the sun in 1919, Sir Arthur Eddington and colleagues reported detecting the sun's gravitational field deflecting light from a distant star. This was regarded as an *experimentum crucis* for Einstein's general theory of relativity, which had predicted the deflection. News of Eddington's confirmatory observation propelled Einstein into popular fame. Later observations with more accurate apparatus confirmed that the deflection occurs. But it is now known that the Eddington photographs contained errors as great as the effect that the team attempted to measure. They had allowed themselves to be influenced by their predisposition to believe Einstein's prediction. In an earlier era, Robert Hooke and the astronomer royal John Flamsteed had claimed to detect stellar parallax, a result predicted by the Copernican heliocentric theory of the solar system. Now it has been suggested (Broad and Wade 1993, 80) that the parallax error, about

one second of arc, could not have been detected with the telescopes through which they looked.

If previously held beliefs insinuate themselves into what we think we observe, what we have learned may crop up in what we think we create. One consequence would seem to be that the line between originality and borrowing another's idea may not be as sharp as we usually suppose. "It is not rare," so Davis has observed, "for an idea picked up from a colleague to be initially forgotten, stored in the recesses of the mind, and then unwittingly resurrected as one's own."

Before saying more about such thought processes, we may briefly define *plagiarism*, and consider why we proscribe it. Plagiarism was originally a tort at common law, within which realm it has been supplanted by a cause of action for copyright infringement. 'Plagiarism' derives from *plaga*, or 'net,' for a plunderer's grab bag. A *plagiarius* is a kidnapper. Plagiarism may be defined as the intentional presentation of the words of another as the presenter's own. Because plagiarism pertains only to words, not ideas, the concept does not capture the gambit of an author who, at the beginning of a paper, cites another's work and then later in the paper avoids transcription while relating significant further ideas of the cited work without further attribution. Such a practice may be captured by a more inclusive concept, viz., *misuse of the ideas of another*. I understand misuse to consist in the intentional presentation as the presenter's own, without attribution appropriate for the medium, of either the work or ideas of another. The medium matters because, for example, in a high school textbook there may occur extensive borrowing from the work of others, without benefit of citation, but with no suggestion of originality. Whereas the author of a research paper generally implies originality, at least as to choice of words, except where disclaimed by crediting others.

On what ground should one condemn plagiarism and misuse and propound a duty not to commit them? Some commentators have harkened to a duty not to steal the property of another. But especially outside the West, not everyone will grant that ideas are property. It is also sometimes said that plagiarism and misuse violate a "duty to give credit."²² But it is unclear whether any moral duty to give credit obtains. Yet another basis of obligation is contract. Grantors of research funds reasonably expect original and truthfully reported work, and sometimes enter into an implicit understanding to that effect. A recipient who commits plagiarism

or misuse disappoints the induced expectation to the extent of the copying. Such a recipient might also be said to violate a duty of promise-keeping. What was promised was originality and true reporting. A duty of promise-keeping is often defended in a manner similar to the defense of the duty of truthfulness; both defenses advert to the critical need of a reliable social practice. It might be said that, for a scholar, there is always some promisee of some implicit promise. If none other, the promisees include a publication's readers and the institution that pays the scholar's salary. Yet it may happen that a modest or secure scholar who is victimized by plagiarism or misuse does not complain of it. The scholar's employer and source of funding may not complain either.²³ In some cultures outside the West, there may not even pertain expectations of credit, individualism, and property rights sufficient to evoke protest. Thus the claims of others may be insufficiently general to support a duty.

Still there obtains a compelling ground for a duty not to plagiarize or misuse others' ideas. That ground is the subsuming duty of truthfulness. Plagiarism perpetrates a lie about the identity of the author. Misuse perpetrates a lie about the identity of who conceived the content.

Let us return to an author's thought processes. Ask yourself, "How many ideas do I form that are original?" Save for a rare neologism, each word that each of us uses was someone else's invention. Many of the phrases that we assemble, even at the height of our creativity, we have read or heard expressed by someone else. (In the sentence that I have just written, that seems true of every one of them.) The topics that we choose to explore, the facts that we adduce, even the points of view that we adopt—these too have parentage, perhaps more causal than we usually pause to appreciate. "Psychologists have now amply demonstrated," wrote the geneticist Bentley Glass, "the ease with which self-deception enters into the forgetfulness of borrowed benefits. The wintry wind of man's ingratitude blows only on the donor of benefits forgot" (Glass 1993, 48–49). Darwin, adds Glass, was "one of the most honest of men" (here the handy synonym of 'truthful' recurs). Darwin was quick to acknowledge that his reading of Malthus had stimulated his thinking about natural selection, but Darwin neglected to acknowledge pertinent ideas that he evidently read in a book by Edward Blyth. The peer review system brings about, to quote another apt characterization by Glass, the "inevitable subconscious germination in the mind of any referee of the

ideas he has obtained from the unpublished work of another person.” “The most conscientious man in the world cannot forget all this, although he too easily forgets when and where a particular idea came to him.” Suppose, as has recently been the case, that academic scientists serve rotating terms on committees that review applications for government grants. The committee members read large quantities of confidential information about work in progress described in their competitors’ applications. Even the exceptionally virtuous must be vexed. If a reviewer uses information gleaned, the reviewer misappropriates confidential information. That is why adjudicated deceivers are barred from such panels. If the reviewer resolves that none of the information will ever enter the reviewer’s thinking in later work, the reviewer attempts self-deception.

It seems peculiar to say that plagiarism is in some sense a matter of degree—until we acknowledge how we learn. To say that is not to condone the practice, nor to suggest that it is difficult to recognize.

5. DECEPTION OF OTHERS AND THE DUTY OF NONDECEPTIVENESS

5.1. *Misleading Another*

For moral purposes, I derive the definition of deception from the definition of a lie, this by replacing ‘false’ in the mendacity condition with ‘false or misleading.’

A *deception* is an utterance of p such that
 [1] under the conditions of utterance, the listener will be justified, so the utterer believes, in believing
 [a] that the utterer believes p , and
 [b] that the utterer intends to induce the listener’s belief that the utterer believes p , and
 [2] the utterer believes p to be false or misleading.

At this point I have traded the definiendum ‘deception’ for a definition incorporating an undefined predicate.

A listener who has been misled will commonly say, “I was given to believe that” Adapting a schema from Chisholm and Feehan, I shall say the following.

An utterance is *misleading* if, taken as a whole with whatever utterances accompany it, the utterance

[i] contributes to acquisition of a false belief [positive deception *simpliciter*],

[ii] contributes to retention of a false belief [positive deception *secundum quid*],

[iii] contributes to cessation of a true belief [negative deception *simpliciter*], or

[iv] contributes to preventing acquisition of a true belief [negative deception *secundum quid*].²⁴

A liar in uttering *p* contributes to acquisition of at least one false belief, the belief that the utterer believes *p*. Positive deception *simpliciter* subsumes lying.

In view of the open texture of empirical concepts, the varieties of syntactic structures, and the interplay of language and context, I cannot purport to give a formal account of what ‘contributes to’ a listener doxastic state. But by way of a partial account, I adduce a mechanism described by Paul Grice.²⁵ Grice begins by stating a handful of maxims governing a talk exchange, maxims that conversants reasonably may assume to be observed by their fellow conversants. Among the maxims are that what a speaker says shall be relevant to the conversation, that the speaker shall not exceed what the speaker’s evidence supports, and that the speaker shall not offer substantially more information, or substantially less, than the context requires. (It is an interesting question whether, as speakers, agents discipline themselves by these maxims to the same extent that, as listeners, they expect from others, but this we need not pursue.) Grice takes these maxims to be standards of rational discourse.

A *conversational implicature* is that which an utterer must be assumed to believe either so as to preserve the assumption that the utterer is observing the Gricean conversational maxims, or so as to explain the nonobservance of one or another of them. For instance, when someone in a talk exchange hears an utterance, even an utterance that seems a bit odd, the listener will assume, because the listener assumes observance of the maxim that what a speaker says shall be relevant, that to some extent the utterance is relevant, that the utterer has some reason for mentioning it. A motorist enters a shop saying that he has run out of gas. The shopkeeper replies, “There’s a garage round the corner.” The conversational implicature of that reply is that the garage is open, and that it sells gas.

When a banker is asked how an employee is doing, and replies, “Oh, quite well; he likes his colleagues; and he hasn’t been to prison yet,” the banker implicates that the employee (or perhaps the set of colleagues) is suspect. In another of Grice’s examples, a mentor writes a letter of recommendation stating only that “Mr. Smith’s command of English is excellent and his attendance at tutorials has been regular.” This departure from the maxim that one does not give substantially less than the information required implicates that Smith is undistinguished. To use a famous example, as Athanasius was rowing down the Nile, persecutors in search of him, rowing past him in the opposite direction, shouted, “Is Athanasius close at hand?” He good-naturedly replied, “Not far away,” and rowed on unsuspected. Given that another of the conversational maxims is that a speaker shall avoid ambiguity, the implicature of the reply was that Athanasius was not immediately present.

‘Implicate’ here is not synonymous with ‘imply.’ The historian who writes “Caesar crossed the Rubicon” implies, by virtue of the definition of ‘cross,’ that Caesar traveled from one side to the other. By conversational implicature, the historian implicates that the river was not dry and that Caesar rode in a boat. An utterance’s implicature can contribute to a false belief though the utterance be true, whereas an utterance that implies a falsehood is itself false (if $p \rightarrow q$ and q is false, p is false).

A *conventional implicature* occurs when an utterance alone, without regard to the conversational maxims, commits the utterer to something that the utterance does not imply. “The function is continuous and differentiable” conventionally implicates that there obtains a distinction between continuity and differentiability.

An utterer may contribute to a doxastic state of a listener by either conversational or conventional implicatures. Thus can implicatures mislead.

5.2. *Culpability and Exceptions*

I shall call *nondeceptive* an agent who, on a given occasion, does not assert anything that the agent believes false or misleading, and hence does not deceive. Again an assertion is an utterance satisfying the signal condition. It follows that a nondeceptive agent will not assert any p that admits of truth or falsity but as to whose truth or falsity the agent has no belief. An agent foisting such a p would have to believe that asserting p would mislead by contributing to

the false belief that the agent believes *p*. *Nondeceptiveness* is the attribute of being nondeceptive. I shall refer to a disposition to be nondeceptive as *forthrightness*. To be *forthright* is to possess that disposition. Forthrightness subsumes veraciousness. (One will withhold ‘forthright’ in describing someone who has been untruthful, and will sometimes say that someone has been truthful but not forthright.) *Candor* is the attribute on a given occasion of being unreserved and forthcoming in assertions about such information as one possesses. Candor subsumes nondeceptiveness.

I claim that that we are each bound by the *duty of nondeceptiveness*, the duty not to assert anything that one believes false or misleading. One who abides by this duty does not commit deception as above defined. Hence one may also call this ‘the duty not to deceive.’ By virtue of this duty, candor is obligatory to the extent of nondeceptiveness.

There remains a category of nonobligatory candor.²⁶ In some situations, especially social situations, a conversant will offer what a listener regards as too much candor, or candor on an inappropriate topic, and the listener will recoil at such “frankness.” Hursthouse rejects a duty of candor, as she understands it, lest we be enjoined to deliver “brutal frankness” in every situation (Hursthouse 1999, 13–14, 59). She holds that we cannot do better than to offer the guidance or instruction “Do what a person possessed of *v* would do,” where *v* is some virtue related to truth-telling. But what I have introduced is only the duty of nondeceptiveness. By virtue of the signal condition, an utterance breaches that duty only if, in the situation, the listener is justified, so the utterer believes, in believing that the utterer believes the utterance and intends to induce the listener to believe that the utterer believes it. In social situations in which we know that people practice polite insincerity, the signal condition is not met. This gets to the same conclusion as Kant’s reasoning. Understanding insincerity as “lack of . . . purity in one’s professions before one’s inner judge, who is thought of as another person,” Kant defended insincerity in social situations, in which, he said, the listener does not want to hear the truth (*Doctrine of Virtue* 6: 430; *Lectures on Ethics* 27: 701). Over a remark of Harry Truman’s, we have to pause a little longer. “Always be sincere,” he said, “even if you don’t mean it.”

When we rehearse the considerations earlier described that have led philosophers to propound the duty of truthfulness—especially, for the practice of scholarship, those considerations predicated on

the reliability of informative communications—we state a case, within the respective moral views, for the duty of nondeceptiveness. As does lying, deception diminishes the deceiver. It manipulates and disrespects the deceived. It impairs communication and the relationships that depend upon it, which effect multiplies as suspicion spreads. Deception is not what a virtuous person does.

Because nondeceptiveness subsumes truthfulness, the duty of nondeceptiveness subsumes the duty of truthfulness. (If one wants to distinguish the two, one may call the former ‘the duty not to mislead.’) The duty of nondeceptiveness is a perfect duty both because it does not allow leeway and because it is owed to one’s listeners. The duty of nondeceptiveness reaches any interaction in which an utterer has a listener’s ear for some purpose of informing or persuading, because in any such circumstance, an utterance satisfying the signal and mendacity conditions will deceive. Hence the duty reaches not only scholarship but the conduct of public officials, journalists, corporate officers and employees, physicians, lawyers, and many others.

But in the history of ideas concerning truth-telling and deceit, it has seemed to some that deception is sometimes permissible though lying is not. Let us explore the controversy concerning this.

An act utilitarian may speak of a justification of conduct, of a reason showing conduct permissible, without presupposing any duty other than the principle of utility.²⁷ But on the supposition that a relevant duty obtains, I have referred to exceptions to duty. That there obtains an exception to a duty establishes that the excepted conduct is permissible, provided, that is, that no other duty proscribes the conduct. Given a *prima facie* duty proscribing some universe of conduct, an exception that would carve away some of that universe requires a justification.

An informative schema presented by Alasdair MacIntyre contrasts two influential views on lying, deception, and exceptions. The first, which I shall call ‘the Augustinian view’ (‘*A*’), denies that there are circumstances warranting an exception from the duty not to lie, but distinguishes from lying several permissible deceptions, viz., equivocation, mental reservation, and avoiding the question. I shall say something more about those deceptions later. Some proponents of *A* will, as did Augustine, assign different degrees of culpability to different kinds of lies. The second view, which I shall call ‘the Sidgwickian view’ (‘*S*’), proscribes lying and all other deception as of a piece, but excepts some circumstances from the reach of the

proscription. Although insisting that deception is generally wrong, *S* leaves room to argue that deception in a given circumstance is permissible, or right. Some proponents of *S* will, as did Sidgwick, weigh the gains and losses from condoning a deception. Thus one of the foregoing views refuses all pleas in extenuation but distinguishes some deceptions from the proscribed conduct, while the other proscribes all forms of deception but grants some pleas in extenuation.

If these seem merely two ways to get to the same destination, it may be replied that the two views have differed in the type of harm to which their respective adherents have assigned primacy. MacIntyre ascribes *S* to Plato, Milton, Samuel Johnson, J. S. Mill, and Sidgwick, and *A* to Aristotle, Augustine, Aquinas, Pascal, and Kant. The points and extent of attachment of these philosophers to the respective views vary, but MacIntyre discerns the following pattern in respect of harm. The *S* camp is said to emphasize the interactional effects of deception—the harm to trust, to relationships, the destruction of credibility. We recall Mill’s concern for civilization. The *A* strain condemns lying for what the liar should not do to himself—the loss of dignity in the liar’s own eyes, the shame of misusing the liar’s faculties, the display by the liar of disrespect for the liar’s rational nature.

A opens the door to the notion that lying and nonlying deception differ in some morally significant way, and in particular, that deception may sometimes be permissible even though the duty not to lie is taken, in a vein laid by Augustine, to be exceptionless. Williams surmises that within the *A* camp, a commitment to an exceptionless duty not to lie devolved from a more or less explicit embrace of two premises:

- (A1) Assertion is quintessential to rationality.
- (A2) Truth is quintessential to assertion.

But thinkers in this vein eventually began to conclude that, in Williams’s words, “the world sometimes requires, for the greater good, that people should be given false beliefs” (Williams 2002, 105–106). The casuists mounted a “desperately shifty attempt to rearrange the boundaries of what counts as a lie.”

MacIntyre describes (A2) as a tacit semantic rule requiring truthfulness in assertion, a rule assimilated from childhood as we learn to speak a language (MacIntyre 1995, 311–313). “[L]earning that truth is required from us in assertions is ... inseparable from learning what it is to assert.” “The rule enjoining truth-telling”

is “constitutive of language-use as such.” In words of Kant that may have lent support to this notion, an intentionally false assertion defies the “natural purposiveness of the speaker’s capacity to communicate his thoughts” (so much as to render the utterer “a mere deceptive appearance of a human being” [*Doctrine of Virtue* 6: 429]). But having said that about false assertions, one could maintain something nearly as strong about misleading implicatures. As for (A1), we exercise our reason not in the act of asserting, but in *choosing* what to assert and what to implicate. Williams punctures the talk of essentiality in both (A1) and (A2) by saying that “If essences can be said to rule out anything at all, they can do so only by making that thing impossible, and if they leave a course of action possible, such as lying, it is too late for them to try to stop it by signals directed through morality.” Thus (A1) and (A2) do not state a ground for greater condemnation of untruthful assertions than of deceptive implicatures—or even for distinguishing them.

Consider also effects. “The hearer will take for granted as much what I imply as what I assert.”²⁸ “The cases we are considering,” Williams says, “are those in which the person to be deceived is a murderer or a persecutor or otherwise in the wrong, and there, as it seems to me, it makes no difference whether deceit takes the form of lying or of something else.” What he says of those cases may be said in general. Granted that, in some situations in which both lying and nonlying deception occur, lying may strike a listener as the more odious imposition. To a friend, a barefaced lie may be the greater affront. But the gauntlet is thrown down before anyone who would contend that lying and deception differ as to whether duty forbids them.

Kant cannot fairly be associated with either *A* and *S* exclusively. He aligns with *S* in that he does not distinguish between lying and deception. When Kant concludes that a moral agent may utter a falsehood to an assailant, he licenses a lie, he does not suggest that something else is occurring. The phrase “capacity to communicate” and the expression by which Kant introduces the term ‘lying,’ *aliud lingua promptum, aliud pectore inclusum gerere* (‘to have one thing shut up in the heart and another ready on the tongue’), are broad enough to embrace implicatures as well as assertions. From our remove, we cannot infer too much from what Kant says, as he does not explore the topic of deception as such. (He at one point remarks that “nobody, in the true sense, is open-hearted,” but in that passage he considers whether to bare one’s soul and confess

one's faults.) As we shall see in §5.5, Kant also aligns with *S* in repudiating mental reservation.

Kant aligns with *A* in urging a duty as to which but one exception is acknowledged. Save for that exception, in Kant's view "a lie for a good end is, strictly speaking, impossible."²⁹ As noted, his notion of "natural purposiveness" may have lent support to (A2). In respect of harm, we saw that he takes account of deceit's societal harm as well as harm to self, but emphasizes the latter. When he writes that "truthfulness in statements which cannot be avoided is the formal duty of an individual to everyone," his reference to avoidance implies that an agent does not act wrongly if, by evasion, the agent avoids an assertion. Kant values the privilege of keeping one's counsel. One has a duty to uphold one's dignity. (In the case of the swindler, Kant might have said that an agent compromises humanity in the agent's own person by even undertaking a *pactum* to a wrongdoer. This would resemble the reasoning by which Kant disparages flattery: it demeans one's own worth beneath that of the other.) In the following situation, Kant also approves equivocation to a questioner: the questioner "sees that we cannot give" the truth and that we "do not wish to tell him a lie," and we have not declared that we are expressing our views (*Lectures on Ethics* 27: 449). We can imagine such a situation as to a questioner bent on coercing and wrongfully using information, though Kant adds that seldom will this notion that the truth is something "we cannot give" subdue a questioner's curiosity. But Kant later recounts an occasion on which he himself equivocated.³⁰ In 1794, King Friedrich Wilhelm II issued Kant a written edict that accused Kant of distorting and disparaging Christianity, and demanded that he desist. In reply, Kant painstakingly denied the charges, but nonetheless chose to "declare solemnly, as Your Majesty's most loyal subject, that I shall hereafter refrain altogether from discoursing publicly, in lectures or writings, on religion." That declaration, of course, he knew would be read as an unqualified concession. But as he later recounted, he chose the phrase 'as Your Majesty's most loyal subject' having in mind "that I would not renounce my freedom to judge in this religious suit *forever*, but only during His Majesty's lifetime." In fact at the time Kant wrote, the king's death was imminent. Trying to imagine other types of deception that might gain exception from duty within a Kantian view, if not within Kant's own remarks, Korsgaard finds plausible only lies to people incapable of rational decisions—to children, the mentally handicapped,

and the insane. Kant's general view seems to be this: "[C]andor et sinceritas are natural obligations of man, and so everyone must frame only such utterances as can coexist and agree with the greatest consciousness of truth . . ." And again, "By everything that tells against candor, a man loses his dignity" (*Lectures on Ethics* 27, 445, 451, 699). That dignity is lost is what Kant always says concerning breach of a duty to oneself.

The scope of the exceptionable as viewed by members of the *S* camp may be summarized as follows. Plato broaches the permissibility of lying "in war," and "as a medicine" to avert wrongdoing "owing to madness or folly" by a friend (*Republic* 382c–d). Sidgwick first mentions the permissibility of lying to the infirm so as to spare them shock, then goes on to allow "benevolent" lies in general.³¹ For Williams, treating deceit as all of a piece conduces with condoning it in some circumstances (Williams 2002, 100–102). Williams would approve lies in exceptional circumstances rather than claim that they are not lies; if the circumstances are not exceptional, he would not approve any deception. He would license lying to wrongful questioners, this on the ground that they do not deserve the truth, and with Sidgwick, would approve a benevolent lie to a patient. MacIntyre propounds a duty predicated on our relationships and therefore excepts deceptive conduct if and only if it protects relationships (MacIntyre 1995, 357). MacIntyre would approve deception to protect one's person or another's, or to shield the vulnerable from knowledge thought harmful to them. Ross might also be associated with *S* insofar as the lack of an ordering of his prima facie duties allows for the occasional defense of deception. Within his theistic account of ethics, Robert M. Adams justifies lying by an agent who loves truthfulness but who, when queried by casual acquaintances, lies to protect an important secret.³²

We have good reasons to grant some exceptions to the duty of nondeceptiveness. We cannot be so sanguine as to expect (as imagined in MacIntyre 1995, 334) that the exercise of wit, ingenuity, and foresight will reliably obviate all situations in which a compelling reason arises to deceive one who might be harmed by the truth. Consider the direct questions to a physician of a patient who might become worse off if given the truth. Other exceptionable circumstances would seem to include encounters with wrongful threats of force and circumstances in which the duty of mutual aid overrides—as when by deception, one may be able to save someone's life. Sidgwick cogently remarks, "if we may even kill in defence of

ourselves and others, it seems strange if we may not lie” (Sidgwick 1907, 315).

I side with *S* against *A* in advocating a duty that proscribes deception of all sorts. I subscribe to the view, of which Sidgwick took note, that “if deception is to be practiced at all, it is mere formalism to object to one mode of effecting it more than another” (Sidgwick 1907, 315). As for exceptions, I know of no compelling argument for an exception to duty in the practice of scholarship as such. Whatever might occur in scholars’ personal lives, scholarship as such does not seem to pose the crises, life-threatening circumstances, and extenuations of which plausible justifications of deception are sometimes built. We place such a high value on forthrightness in scholarship that scholarship distinguishes itself by the scepticism that its participants would bring to bear on purported justifications of deception. A virtuous scholar, to use Kant’s phrase, “will love the truth, and never let a *casus necessitatis* arise” (*Lectures on Ethics* 27: 449). Of course there may obtain some tenable exception that could be concocted. As has been argued, there may be no moral rule for which one cannot concoct some circumstance justifying its violation. Still it seems salutary to govern ourselves by the understanding that, in scholarship, deception of any type is always wrong.

5.3. *Omissions*

In testifying before a legislative body, a scientist could mislead by asserting that a chemical plant is leaking only a “tiny” amount of contaminant without also revealing, if it be the case, that a tiny amount suffices for a violent reaction. But a battle has been waged, mainly in the law, about whether to condemn deception by omission. In deception by omission, an agent utters some p_1, p_2, \dots, p_n but does not utter one or more p_i necessary to render what the agent does say, taken as a whole, not misleading. The presentation is misleadingly incomplete.

An old objection to imposing culpability for omissions is the claim that we are not obliged to disturb a listener’s previously held erroneous beliefs. A logical extension of that objection would seem to deny culpability even for misstatements effecting positive deception *secundum quid*. Another objection to penalizing omissions consists in the claim that a duty to avoid deception by omission is open-ended, lacking a clear boundary. What we just saw of Kant’s

view about keeping one's counsel may have encouraged the notion that omitting to speak is not culpable.

At common law, a party to a commercial transaction could assert the tort of deceit, but only as to assertions. There was no liability for omitting facts. This poverty of remedies long persisted. Then in the events leading to the Great Depression of the twentieth century, unscrupulous sellers of securities offered "the blue sky" but neglected to mention the risks. Many unwitting investors suffered devastating losses. The scandal propelled adoption in the U. S. of a rule imposing liability for misstatements and misleading omissions in the sale of securities. It was declared fraud to "make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading."³³ There now reposes, in the ensuing voluminous case law, a wealth of study of utterers betraying the trust of listeners.

But no duty recognized in torts is isomorphic to the duties of truthfulness or nondeceptiveness. The elements of torts are confined to what may be inferred by factfinders from behavioral evidence. For securities fraud, these elements include the defendant's knowledge of or reckless disregard for the truth (a truncation of 'intent to deceive') and the complainant's reliance. Although there operates a presumption that a securities purchaser has relied on an alleged misstatement or misleading omission, the presumption is rebuttable. Whereas in respect of a scholarly work, we have good reason to insist on the premise that reliant readers always exist. The signal condition of deception requires that an utterer's conduct would produce a justifiable belief in a listener, not that it in fact produces a belief. The mendacity condition requires that the utterer believe the utterance false or misleading; the securities laws do not impose liability unless a statement is false or an omission misleading, and even then only as to a "material" fact, taken to be a fact because of which a reasonable person might alter their course of action.

The legal concept of research misconduct may be explicated by adducing a concept to which I alluded at the outset. We may say that *misrepresentation* in scholarship occurs if and only if a presenter, intentionally indicating belief in the presenter's utterance, (1) delivers a false utterance concerning a material fact while believing the utterance false, or (2) while believing the effect misleading, omits a material fact without which the utterance is misleading. We observe the following about this. A legally culpable utterance

must be false or misleading (a 'true lie' or 'accurate deception' may draw reproach, but not legal sanction). The phrase 'intentionally indicating' here conveys the signal condition by a less cumbersome expression than the condition itself, this suitable for a legal prescription. No significance threshold should qualify a scholar's moral duty of nondeceptiveness, but on grounds that the law should treat scholars no more harshly than others, the materiality condition finds a place in defining research misconduct, thus sparing complaints over trifles. An utterance may be said to be 'material' if it or its contrary or absence would be likely to affect the completion, reproducibility, plausibility, or correlation of data with conclusions of a procedure, hypothesis, or result, or would otherwise be such that it would be rational for others to alter their conduct in reliance upon it.

Thus can the law reasonably define misleading statements and omissions that result in loss of eligibility for government funding. Misrepresentation (including its species fabrication and falsification), plagiarism, and misuse of another's ideas are all instances of a kind, namely, self-promoting deception.

We still need to state a moral ground for condemning misleading omissions. We assume that in scholarly communication, an utterer has a listener's attention for some informational purpose. By common understanding, a presentation is either self-contained or makes clear where it is not. Suppose the maxim, 'Be candid in one's statements, subject to one's prerogative to offer only such statements as one wishes.' To assess the risks of universalizing that maxim, we do not need to use our imagination. The history of the common law includes a control experiment in which misstatements were forbidden but misleading omissions were not. Omitting material information from ostensibly self-contained presentations frequently unleashed havoc. The effects resemble those whose apprehension convinced us to condemn lying. Truthfulness alone, as best we can tell, does not suffice for the reliable exchange of ideas. Notwithstanding a listener's background in the presenter's topic, a presentation may mislead by virtue of what is not said.

Consider an historian who, in archival research, comes upon a letter written by an aide de camp who, a century ago, assassinated his country's prime minister. The letter, composed a year before the assassination, begins with a prediction that the minister will be out of office at year end. The historian publishes a paper quoting this letter in support of a revisionist claim, viz., that the aide had plotted

the assassination in advance. The received view has been that the assassination was the aide's impulsive reaction to the shocking news of his father's incarceration on order of the minister. It happens that the letter's last two pages flow with encomium for the minister. From the encomium, one might infer that the aide at the time of the letter harbored no intention whatsoever to harm the admired minister, and hence that his prediction was only a reference to electoral politics. If the historian intentionally omits mention of the encomium, there appears to occur positive deception *simpliciter*.

It cannot be denied that, owing to the variety of informational settings and the complexities of language, the conduct proscribed by the duty of nondeceptiveness lacks a sharp boundary. But we should also bear in mind that a presenter controls the choice of topic. As Philip Kitcher has stressed, a presenter inexorably engages in persuasion, even if not self-consciously imagining it, this because each listener has "at their command propensities for moving from one statement (or set of statements) to another," and the canonical form of a paper or lecture serves to trigger various of these propensities (Kitcher 1991, 4–5, 24). Some inferential propensities are triggered by standard succinct expressions. Some expressions are chosen to counteract other propensities that the presenter anticipates that a reader's declarative memory will activate against the presenter's message. Presenters "aim to reproduce in the minds of readers the same sequence of inferential transitions that underlie their own beliefs." What a presenter elects to say, directly and by implicature, may so reach into the topic that the presenter must elaborate on pain of misleading by omission. To admonish that we should not ask a presenter to dispel any and all false beliefs is to respond to an exaggeration of the duty of nondeceptiveness. The duty of nondeceptiveness does not demand educating everyone about everything. It does demand that one not mislead.

5.4. *Verbal Sleight of Hand*

I turn to some other deceptive moves. An agent may deceive, by contributing to a listener holding or losing a belief, in ways other than flatly declaring a falsehood or omitting to mention a key fact. An agent may deceive by verbal sleight of hand. As we saw, Kant took pains to say that if one appears to express one's view, and then deceives by equivocating, one has lied.³⁴ Although Kant's case

of lying to a swindler after professing earnestness may have been purely hypothetical, the practice of equivocation was not.

During the sixteenth century when Catholics were persecuted in England, casuists taught that because all human expression is uttered in the presence of God—this was partly the reason for which Augustine condemned lying—one would not lie if, while uttering a falsehood, one thought the truth by *reservatio mentalis* ('mental reservation') to oneself. The tacit truth would be audible to God. A clever version of this strategy consisted in speaking equivocally. Among the occasions might be a knock at the door by one of the Queen's pursuivants. If a homeowner were asked whether he harbored a priest—doing so was a crime—the homeowner might use the reply, '*Non est hic.*' That locution is ambiguous as between 'He is not here' and 'He does not eat here.'³⁵

Relying on a passage in Aquinas, another casuist defended the concealment of facts by dissimulation. Father Henry Garnet, a Jesuit, anonymously published *A Treatise of Equivocation, or Against Lying and Fraudulent Dissimulation*. Garnet was later prosecuted for complicity in the Gunpowder Plot. By means of gunpowder laid in the cellar, the plotters would have blown up the chamber of the House of Lords, in which Parliament and monarch would be assembled, during the state opening of Parliament on November 5, 1605. After the government foiled the plot and apprehended the conspirators, Garnet wrote a letter denouncing the plot and any participation in it but indicating that he had administered the sacraments to the conspirators. It was eventually revealed that in the confessional, Garnet had received advance knowledge of the plot. At Garnet's trial, the prosecution mustered no evidence against him apart from his own words. Garnet defended some of what he had said about the plot as equivocation. The Porter's remarks about "an equivocator" in *Macbeth* II.iii. have been taken to refer to Garnet. Parliament soon took instruction from this episode, phrasing a new oath of allegiance so as to begin, "I do plainly and sincerely acknowledge and swear . . . without any equivocation or secret reservation whatsoever." Nearly two centuries later, Kant thought it important to reject what he described as the Jesuit view that lying by equivocation was only a small offense if it served a good end.³⁶

One could have refuted *reservatio mentalis* from within the casuists' own tradition.³⁷ That tradition incorporates the belief that God knows man's intentions. Hence when an utterer intentionally misleads

a listener, it is not plausible that God sees the conduct as nondeceptive. He might approve of the deception, but deception it is.

According to my account, equivocation falls within the reach of the duty of nondeceptiveness. An utterer is accountable for misleading a listener if the utterer believes false or misleading any sentence token that the utterer asserts. In speaking ambiguously, an utterer may utter more than one sentence token. If the signal and mendacity conditions are met by any one of them, deception occurs. The homeowner who replies '*Non est hic*' might imagine signalling the true 'He is not eating' to God, or to conscience, but surely not to the pursuivant, to whom any hint of equivocation would defeat the gambit. To the pursuivant, the homeowner signals the false 'He is not here.' Were we not to recognize the wrong in deceiving by equivocation, we might have to tolerate utterances that, like the casuists', are claimed to be equivocal but whose plain message is false. We would open the door to almost any lie because, with a little effort, one can translate almost any falsehood into some ambiguous locution admitting of an interpretation in which it holds true. Thus another reason to deny that lying and nonlying deception differ as to whether duty forbids them.

Apart from equivocation within a sentence, an agent may deceive by the fallacy of equivocation, by using a word in more than one sense within an argument. Amphiboly, another fallacious means of exploiting ambiguity, consists in the use in an argument of premises that are ambiguous by virtue of their grammatical construction. To deceive by means of a fallacy that exploits ambiguity is to prevaricate (from *praevaricari*, to walk crookedly).

In general, a fallacy may be understood as an argument that seems valid though it is not. It constitutes deception to deploy a fallacy so as to contribute to holding a false belief or thwarting a true belief by means of utterances that satisfy the signal and mendacity conditions. Sophistry may be understood as the systematic uttering of fallacies. Sophistry only works when the listener does not detect the invalid argument. When sophistry succeeds in convincing the listener of a conclusion, it contributes, regardless of the truth value of the conclusion, to the false belief that the proffered argument is a valid argument for the conclusion. So too may any presentation of an invalid argument contribute to the false belief of such argument's validity, even if the presentation does not seem clever enough to classify as sophistry. This manifests that a listener, particularly a listener of an utterer viewed as an expert, can surrender

trust not only as to sentence tokens, but as to reasoning that connects sentence tokens. A successful sophist deceives even if the sophist believes true the conclusion induced by the sophistical argument.

On the other hand, one could hypothesize an agent who so badly bungles an attempt to foist an invalid argument as to reveal that the agent does not himself believe the argument valid. In that case, the presentation would not satisfy the signal condition. We would also not call the bungle sophistry. Someone might also present an argument without appreciating either its invalidity or the falsity of its conclusion. In that case, the mendacity condition would not be met, and though we would call the argument specious, we would not call it deceptive.

In a typical case of deception by invalid argument, the utterer disguises the invalidity so as to fool at least some listeners. The Sophists' methods of disguise so fascinated Aristotle as to motivate the writing of *Sophistical Refutations*, where he prepares his readers for encounters with sophistry. Modern polemics have added a new move to the sophistical repertoire. As aptly described by the literary critic Stanley Fish, the tactic consists in "spinning a vocabulary that, once established in the public mind, performs the work of argument all by itself." Harkening to Socrates, Korsgaard goes so far as to say that in Kant's view, the command to respect each other as members of a kingdom of ends entails that "any sort of persuasion that is aimed at distracting its listener's attention from either the reasons that she ought to use or the reasons the speaker thinks she will use is wrong" (Korsgaard 1996, 142).

We may imagine the sophist Gorgias replying, "Sophistry does not contribute to a false or true belief, since nothing is either true or false. There is no truth. We can utter only opinion." For his part, Socrates had no doubt that the Sophists uttered falsehoods. He declared that they had scarcely uttered a word of truth, but instead *εψεύσαντο* (*epseusanto*), that they had spoken lies, misrepresentations, or falsehoods (*Apology* 17a–b). If there were anything to the notion that some part of sophistical discourse is not classifiable as true or false, Socrates did not acknowledge it. For Gorgias, a weaker and more plausible rejoinder, cloaked in modern garb, would be that when on occasion sophistry coaxes value judgments and choice, in contradistinction from beliefs about facts, it cannot be said to induce a belief that is false in the truth functional sense. To this we may reply that sophists often do deceive about factual matters by contributing to beliefs in false intermediate premises en

route to value judgments. Regardless, we have just seen that when sophistry succeeds in persuading another, it misleads as to the validity of the argument employed. The sophist's achievement, according to Protagoras, is "to make the weaker argument the stronger" in the listener's thought. Sophistry misleads even when arguing to puzzle (as in adducing 'Socrates both knows and does not know,' 'good men speak evil,' and 'no one ever contradicts another'), but in this case, it would seem, harmlessly.

6. TWO ATTEMPTED JUSTIFICATIONS OF DECEPTION

From Kant we have learned that deception diminishes the deceiver. But in the following, I take up two candidates for justified deception that might be thought particularly pertinent to scholarship.

6.1. *The Public Good*

We can imagine an occasion on which a scholar claims to be *splendide mendax*. Consider deception "for the public good," allowed in a maxim such as, 'I may not lie except in an instance in which a lie will serve a community interest so paramount as to overcome the ill effects on communication of the knowledge that lies are sometimes considered permissible.' We have an historical case in point. Pasteur was convinced that his envisioned method for manufacturing an anthrax vaccine, the oxygenation method of attenuating bacilli, was superior to the methods that his rival was exploring. Competing in 1881 for the honor of being first to produce an effective vaccine, Pasteur purported to submit his vaccine for testing on a herd of sheep. In fact he submitted not his oxygen-attenuated vaccine, but the only vaccine of whose efficacy he was confident at the time of the test inoculations (Geison 1995, 145–176). That was a vaccine prepared by attenuating the anthrax bacilli not by means of oxygen, but by means of an antiseptic compound—precisely the *modus faciendi* of his rival's vaccine. Pasteur's ersatz vaccine worked, gaining him applause from the sheep farmers. His rival faded into obscurity. Pasteur later did develop a superior oxygen-attenuated vaccine.

Sidgwick considered the argument that if a conclusion be true, but "cannot be satisfactorily communicated otherwise," one might employ "fictitious premises." Insofar as an argument to justify deception challenges the notion that condemning all deception

honors rational nature, maximizes aggregate utility, or fosters human flourishing better than does allowing occasional deception, we may return to the case for the duty of nondeceptiveness. That case already purports to take account, all things considered, of the public good. When considering any proposed exception, we have to ask whether it is generalizable. So we may suppose a microbiologist today who misrepresents data in the belief that, unless a presentation persuades a funding agency, his technique for saving millions of lives via a vaccine will not be funded. Or perhaps an investigator invokes national security. Plato, having broached lying in war and to avert wrong by a friend, concludes that lying is permissible only by “rulers of the commonwealth, acting for its benefit,” and condemns lying by citizens as “a practice as fatal and subversive in a state as it would be in a ship.”³⁸ The difficulty with any deception, as Kant saw, is that the deceiver can never be sure that any expected salutary effects will occur. Even if the expected effects do come to pass, a deceiver can only guess whether their benefit will exceed the damage to trust and to the institution of truthfulness that follow from untruthfulness. Society relies on the institution of truthfulness when it looks to scholars for impartial, reliable guidance. If scholars were known sometimes to deceive “for the public good,” on whom could society rely?

Sometimes there may avail an excuse (e.g., coercion, insanity, duress) availing a particular agent though not justifying an act in general. But in scholarship as such, few excuses avail. Some purported justifications may reduce to unconvincing excuses. A presenter might urge that some deception fostered the public good, but as with Pasteur’s motivation to eclipse a rival, the principal good may only be the presenter’s.

6.2. *Sophistry to Defeat Sophistry*

Suppose a situation in which a scientist confronting sophistry believes that a sophistical reply will work on the audience and that nothing else will work. The forum is a legislative hearing that begins with the prepared statements of the legislators, who in delivering themselves of their views, unload one sophistical argument after another. Would it be right for the scientist to deploy sophistry in order to defeat their sophistry? Socrates was effectively accused of doing this. Often he seemed to outdo the sophists at their own

game. But Gregory Vlastos contends that it is only the Socrates of the early dialogues who plays pranks on his interlocutors, and then only when engaged in argumentative sparring contests (Vlastos 1991). When Socrates deliberately misreads Simonides, both to say that Sparta is the leading center of philosophy, and to say that it is bad to be good, Socrates manhandles the text only for the purpose of spiking the notion that we ought to defer to the poet (*Protagoras* 338e–348a). In the later dialogues, the guileless Socrates, usually arguing seriously, does not resort to deception. For instance, in one serious argument seen by other scholars as a sophistical use of ambiguity, Vlastos finds an elenchus in which Socrates merely induces the sophist Polus to “bring witness against himself.”³⁹ Socrates does not deliberately mislead the sophist.

The prosecutors of both Socrates and Garnet used sophistry to defeat and convict those whom they accused of sophistry. The tragedy of Garnet’s execution for treason was that, in the absence of any plausible claim that Garnet participated in the plot, Sir Edward Coke as prosecutor resorted to misleading insinuations and distortion of the facts. Were we to license sophistry to defeat sophistry, we would not only allow an unfair result in a case such as this, but risk a multiplied aggregate effect. Take first an exception for lying to liars. A popular understanding that lying to liars is permissible could lead to the suspicion that many people lie on the surmise that their conversants are liars, and the effect could snowball. If we approve deception to combat purported sophistry, we risk error in detecting the triggering condition, sophistry, and threaten communication. Even if we still elect to approve deception directed at deceivers, that concept is either inapplicable to scholars communicating with each other, or if not, then the scholarly enterprise has collapsed. “It is the task of the man who has knowledge of a particular subject himself,” Aristotle wrote, “to refrain from fallacious arguments about the subjects of his knowledge and to be able to expose him who uses them” (*Sophistical Refutations* 165a).

7. THE KERNEL AND COMPLEMENTS OF INTELLECTUAL HONESTY

I suggest that the kernel of *intellectual honesty* consists in a disposition of an agent such that when presented with an incentive to deceive in any way, the agent will not deceive. This virtue fosters fulfillment of a duty (per deontological views), promotes good ends

(per consequentialism), and constitutes a virtue possessed by a virtuous person (per virtue ethics). The whole of intellectual honesty includes a disposition or dispositions such that notwithstanding contrary incentives, the agent refuses, in respect of assertion or other means of communication, to gain an unfair advantage, to indulge laziness diminishing the quality of the impression left, or to indulge in exaggeration.⁴⁰ Consistently with the etymology of ‘honest,’ acting in accordance with intellectual honesty is acting honorably.

The foregoing references to ‘incentive’ express that, as with courage—but not as with candor in circumstances such as gossip – there inheres in the concept of this virtue the choice of a course that places demands upon the agent over an alternative that would better serve some immediate advantage of the agent. In the case of the kernel, the alternative is intellectual dishonesty, a disposition to mislead when talking seriously. Intellectual honesty assures that forthrightness dominates, delivering candor when it counts. Honor triumphs in the face of challenge. While we may not appreciate frankness in all situations in which it occurs, we value the kernel of intellectual honesty in all circumstances in which it is defined, save only for exceptions to the duty of nondeceptiveness. We also expect intellectual honesty—the kernel because we demand compliance with the duty of nondeceptiveness, the rest because we regard it as a virtue of any virtuous agent who has a listener’s ear for purposes of education. In that we expect intellectual honesty, we do not usually think to praise it. We do not commonly remark that someone is intellectually honest unless we set out to deny a charge that they are not.

If a candid speaker asserts anything, the speaker asserts enough so as not to mislead, but in some circumstances it remains an option to say nothing. Insofar as opportunities arise to gain an unfair advantage by means other than assertion and assertion’s implicatures, intellectual honesty disposes one to forbear from those means also. Intellectual honesty seems to foster more initiative, sometimes a compulsion to speak. “I would not wish you to have the false impression that . . .,” an attentive listener may say.

The application of ‘intellectual honesty’ is usually to situations in which some subtlety of reasoning is involved. This is not a distinction that I shall not attempt to draw in any hard and fast way, but it appears that we would not consider the virtue applicable to some quotidian interactions in which no subtleties of presentation

or reasoning are in play. A young boy comes to his father and tells him not only that he knocked over a can of paint in the basement, but that he used his father's shirt to mop up the paint before returning the shirt to the laundry basket. We would praise the boy for candor, but might not find anything in the situation to which to apply 'intellectually honest.'

Before speaking of the manifestations of intellectual honesty, I take up an objection by Williams to conceiving the instant disposition (what I describe as the kernel of intellectual honesty, what he calls 'sincerity') as a disposition to follow a rule. Williams claims that there arise so "many and varied" exceptional situations in which deception is justified that any tenable rule must be complex, that we should instead cultivate a disposition incorporating a "good grasp" of exceptional situations and an ability to "think clearly and without self-deceit about the occasions when deceit is required," and that a rule against lying to those who repose trust would in any event fail to capture a notorious liar whom no one trusts (Williams 2002, 120–121). On Williams's view, a virtuous agent should decide, through exercise of judgment, when to be candid and when not.

Even apart from the circumstance that the duty of nondeceptiveness appears to admit no tenable exceptions applicable to scholarship, it remains to be shown for the general case that exceptions to the duty of nondeceptiveness are so numerous as to provide a reason for leaving matters to judgment *ad hoc*. Regardless, if I face circumstance *x*, for me to choose or grasp the rule 'Do not deceive even when tempted otherwise, except in the case of *x*' does not require that I think through all other candidate exceptions; I need consider only the universalizability of this rule excepting *x*. Rules such as 'Do not deceive' serve as suitable targets of a virtuous disposition. Many of us have learned just such rules and successfully call them to mind when we face a moral choice. Having a good grasp of exceptions may be valued in the moral philosopher, but it is not characteristic of the disposition to be nondeceptive. We are best served by a disposition to shun deception *tout court*. A nose for exceptions comes naturally and needs no encouragement. (Thinking about the particulars of what to say in a given context so as to be candid is not to be confused with sniffing for an exception to duty.) As for the failure of a rule against lying to capture the unusual case of a notorious liar whom no one trusts, it is true that Snurd does not lie to me if the circumstances of utterance are such that I cannot justifiably believe that Snurd believes what Snurd utters. That

only establishes that Snurd cannot presently lie. The duty not to lie will have been violated repeatedly as Snurd uttered the earliest of his lies, before he became known as someone who usually lies, and that will have sufficed for the conclusion that Snurd is wanting in veraciousness. Parallel reasoning applies for the general case of deception betraying a want of intellectual honesty.

I turn to the manifestations of intellectual honesty. An intellectually honest person does not dodge the question, shade the truth, walk crookedly, assert on the basis of wishful thinking, or throw an inquirer off the scent. An intellectually honest person may draw fine distinctions, but will not float a Pickwickian distinction that might mislead. Keen sensitivity will also be displayed to avoid any nuance, emphasis, inclusion, or neglect that might mislead. An opponent's position will be reported in the strongest form that the opponent has articulated.⁴¹ Settings do arise in which one may keep one's own counsel, but the intellectually honest person will not do so if that would mislead. Feynman offers this practical advice:

[I]f you're doing an experiment, you should report everything that you think might make it invalid—not only what you think is right about it: other causes that could possibly explain your results, and things you thought of that you've eliminated by some other experiment, and how they worked—to make sure the other fellow can tell they have been eliminated.

Details that could throw doubt on your interpretation must be given, if you know them. . . . If you make a theory, for example, and advertise it, . . . then you must also put down all the facts that disagree with it, as well as those that agree with it.

. . . . If you've made up your mind to test a theory, or you want to explain some idea, you should always decide to publish it whichever way it comes out (Feynman 1986, 311, 314).

Scientists live under the constraint of parsimoniously allotted journal space, but if there is something that in candor should be disclosed, an intellectually honest author will find a concise way to indicate it.

Surpassing intellectual honesty is another virtuous disposition that in scholars we particularly value, and in others hope sometimes to encounter. I shall call this other disposition *ingenuousness*. A scholar acting in accordance with the virtue of ingenuousness imagines one's listener as someone just as curious as one would be about results presented in a field of one's keen interest, and takes that listener's preferences as the scholar's own. A scholar manifesting ingenuousness illuminates the scene. The scholar goes out of his or her way to paint a complete picture. Among features exposed in

this picture are the vulnerabilities of the scholar's own view. The scholar is open to others' criticisms in the spirit of seeing things more clearly.

Some implicatures, forms of argument, and omissions will fall within the scope of the misleading, effect deception, and breach the duty of nondeceptiveness. Others may not breach that duty but fail to meet the standard of what an ingenuous presenter would say. It will sometimes be a contested point whether a presentation has effected culpable deception or only a failure to act ingenuously.

Aristotle spoke of a golden mean between boastfulness and understatement (*Nicomachean Ethics* II 7, 1108a), but we shall need something more to guide us in situations such as the following. (1) It has become *de rigueur* to submit research results for publication in a refereed journal, thereby assuring a chance for the review process to detect weaknesses and beckon their repair. This norm would bar the move of first releasing results to the popular press. Must a virtuous scholar always conform to the norm? (2) May a virtuous scientist convinced of the critical public need for a project simplify an analysis of feasibility in the hope of convincing someone to fund the project? Not if it would be misleading. But should the scientist choose on this occasion to be ingenuous? (3) An investigator receives a request for a reagent used in a published experiment, but the reagent batch on hand is known to contain inert ingredients not found in the experimental batch. The investigator firmly believes that the batch on hand has no importantly different properties, although no assay has been performed to confirm that. It will be time-consuming and expensive to run an assay or to make a new batch. May the investigator send the batch on hand? Perhaps, but to be intellectually honest, the investigator will disclose the foregoing facts. (4) A scientist testifies about embryonic adult stem cell research *vis-à-vis* research on stem cells in the developed human. Not able to predict what either will yield, but aware that one may be pursued without the acute moral concerns raised by the other,⁴² in what phrasing may the scientist express enthusiasm for experiments contemplated in the morally problematic alternative? (5) Dr. X, before or during a randomized clinical drug trial, believes that the therapy will cure a rampant disease. How optimistically should X phrase the press releases? If X speaks cautiously, patients enrolled in other trials who could switch to X's trial might not do so, and suffer. If X speaks optimistically, many patients might be drawn to

the *X* trial, perhaps more than the trial can enroll, and yet the trial could fail as a trial abandoned by new entrants succeeds.

It will of course help in each of the foregoing situations to adduce further considerations and standards peculiar to the field. Some of the situations seem to call out for that valued attribute of the ingenuous scholar in which a speaker regards the listener as someone just as curious as one would be about results presented in a field of one's keen interest, and takes that listener's preferences as one's own. The *X* trial adds the problem of paternalism—of how, with imperfect knowledge, *X* should attempt to shape, for listeners' benefit, the inevitable influence of press releases on their reasonably foreseeable behavior.

Lack of intellectual dishonesty may explain some of the keenest frustrations experienced in human discourse. We can all recall someone who, if I may borrow a trope from Kant, "treats the products of his understanding as a merchant does his wares; he will hide the weak points." Kitcher relates how advocates of "creation science" pose and reply to distortions of evolutionary theory (Kitcher 1982). By wrenching quotations of biologists from context, they depict the dueling proponents of two rival theories, gradualism and punctuated equilibrium theory, as opponents of the theory of evolution, the general theory that both sides accept. Kant was wise to say that "moral character has great influence on the sciences" (*Lectures on Ethics* 27: 462). If misleading communications and mendacity pervade our society—perhaps because, as Robert Reich has put it, many people reckon that "the dice are already loaded, so they might as well give them an extra roll when no one's looking"—we would be well-advised to foster intellectual honesty.

Cheating is another matter. Intellectual honesty does not subsume plain honesty. The latter may be understood as an inclusive disposition embracing veraciousness as well as dispositions not to cheat and not to violate rules of fair play. As it is said, one who is honest does not lie, cheat, or steal. An 'honest profit' is one gained by fair means. One might say that honesty subsumes intellectual honesty, though common parlance may be contrary, allowing the case of an agent disposed to be honest but not disposed to be candid when it counts. In any case, the dispositions are akin. As honesty is a disposition by virtue of which an agent refuses to gain an unfair advantage, so too for intellectual honesty. *In toto* the two virtues may be said to foster a conscientious life, a life of not misrepresenting oneself to others or to oneself.⁴³

One or another forms of the thesis known as ‘the unity of the virtues’ holds that a given virtue cannot be had unless the agent also embodies other virtues to at least some extent. This condition has been said to obtain because any virtue must incorporate *phronesis*, whose exercise in shaping action involves balancing virtues against each other (Hursthouse 1999, 153–157). Here in trying to understand intellectual honesty, I do not attempt to say what other virtues *must* be had. But it seems that in some virtuous people, intellectual honesty nests with ingenuousness. Other virtues whose exercise a virtuous person may have to balance with intellectual honesty and ingenuousness may include charity and generosity. Intellectual honesty and ingenuousness might also be understood to cluster with fairness, a sense of justice, and sincerity. Then there are traits such as perspicaciousness and thoroughness and rational passions that are not intrinsically moral, as they can also be used for bad ends, but which enhance the contribution of a well-motivated scholar. Of course behavioral dispositions are not discrete units tidily arrayed; they are not existents. But by conceiving them, we give ourselves targets at which to aim. In the vein of ingenuousness, there also occurs the supererogatory.

A doxastic voluntarist will go further, nominating doxastic virtue as a component or complement of intellectual honesty. The claim will be that it is virtuous to believe truths about oneself and to be intellectually honest with oneself in setting high standards about how one reasons from evidence in forming all one’s beliefs.⁴⁴ For scholars accountable to the public, a putative duty concerning how one forms beliefs might even ramify into a specification of right and wrong research methods. Doxastic voluntarism, virtue epistemology, and doxastic virtue and duty are topics unto themselves. I shall here say only that except insofar as duty forbids deception, it will be a tall order to propound nontrivial norms of belief formation for research. For there, creativity is at stake. Norms for research that are not specific may only be platitudes (e.g., ‘consider relevant evidence’ and ‘be willing to revise your hypothesis’), and if specific, may deny creativity the freedom it needs. On the other hand, a doxastic voluntarist may insist on doxastic duty in some noncreative endeavors, especially those that inexorably bring about harm. A case in point is that of government officials who initiate a war on the basis of false beliefs at which they arrive by ignoring facts and by inducing others to adduce support for preconceived conclusions.

8. INTEGRITY

An agent may on a given occasion be untruthful or deceptive yet remain possessed of veraciousness and forthrightness. To possess a disposition is not to be incapable of ever acting contrary to it. But consider a case in which the obloquy brought on by an instance of deception effectively ends a professor's academic career. If the immediate harm from that deception was slight—few people read the offending publication—what justifies banishment? An administrator might answer that as scholars compete for funding and promotion, any behavior that has contravened moral values intrinsic to scholarship should be brought to light. Reporting an instance of deceit produces a competitive disadvantage *instanter*. Because any significant competitive disadvantage virtually assures losing out to others in the competition, an order that bars the deceiver from consideration for grants and promotions imposes no more harm on the deceiver than the inevitable outcome. It spares committees time that would be wasted in considering one whose resort to deception reliably indicates mediocrity. Consider too the case of a student who commits plagiarism and whose institution imposes the punishment of suspension or expulsion. The damage to the set of readers—let us assume that the instructor is the only one—is again slight. The apparent rationale for punishment is deterrence. The institution sees itself as deterring a practice that is fecund, difficult to detect, and such that infiltration could preclude confidence in the evaluation of students generally.

If the foregoing pragmatic reasoning explains the administrative response, what explains the community response, the opprobrium now visited on professor and student? Perhaps the offenders' peers believe that self-promoting deception has exposed an imposter. The deceiver has employed a disguise to affect the appearance of a scholar doing estimable work. Exposed mediocrity explains why the community would take a dim view of the deceiver. It does not explain or justify the opinion that the scoundrel would best be banished, a treatment that will effectively preclude reformation and reinstatement. I suggest that the explanation of banishment lies in the devastating conclusion that the deceiver's behavior has betrayed a lack of integrity.

This conclusion about lack of integrity may be explained by virtue of the structural way in which many of us, even if we have not much thought about it, understand the concept. This structural

quality, which I shall conclude by relating, sets integrity apart from other virtues.

Several accounts of integrity have recently been given. Integrity has been described as [1] a second-order virtue constituting a set of virtues, among them honesty, intellectual honesty, trustworthiness, and the dispositions to abide by the law, to keep promises, to refuse bribes, to shun conflicts of interest, and to refuse to cooperate with evil, [2] the attribute of sticking to one's own deliberately chosen set of consistent, uncompromisable, and recognizably moral commitments, and [3] the attribute of keeping one's self intact by adhering in a fully self-aware way to one's own deliberately chosen set of self-defining commitments.

Without expanding on the foregoing renderings, I note that honesty and intellectual honesty are explicit in [1], that honesty has been said to be among the central commitments associated with [2], and that intellectual honesty too figures in sticking to one's commitments, and that even according to [3], whereby an agent devoted to nefarious commitments may exhibit integrity, the coherence necessary for integrity may be said to require honesty.⁴⁵ Even as Rawls remarks on virtues associated with integrity whose definition "allows for most any content: a tyrant might display these attributes to a high degree," he counts truthfulness and sincerity among the associated virtues (Rawls 1971, 519). Thus failures of truthfulness and intellectual honesty will strike at the core of integrity.

It seems that integrity demands not merely general but strict adherence to commitments. Integrity does not allow one to duck and weave between commitments. Therefore a person of integrity does not undertake commitments capriciously, but chooses commitments with an eye to how they fit together. A scholar would deserve praise for eschewing commercial entanglements that would risk corrupting the scholar's intellectual honesty, or give the appearance of corruption. A scholar committed to a cause, such as justice or the public health, may sometimes have to stand up for an unpopular belief. It shows to the disadvantage of utilitarianism, argues Williams, that because the preferences of others dominate in aggregate preference satisfaction, the command to maximize that sum can compel one to betray the core commitments "round which he has built his life." This command mounts "an attack on his integrity" (Williams 1973, 99–100, 116–117). So too does Kant's theory suggest that impartial morality can compel the betrayal of core commitments.⁴⁶ This line of reasoning opposes integrity to morality.

Like intellectual honesty, integrity seems to be tested by pressure.⁴⁷ Were an agent's commitments easy to satisfy, integrity would seem moot. If, under pressure, a person who espouses or affects a demanding commitment dishonors it, observers infer a lack of integrity. This makes sense particularly in the case of [1] above insofar as intellectual honesty constitutes a disposition to act in particular ways even when tempted to act otherwise. A single failure to act in the relevant way may induce observers to infer, whether correctly or not, that this valued disposition is absent. If the esteemed Farnsworth breaches a trust, or accepts a bribe, we may not think of Farnsworth as trustworthy anymore. If Farnsworth is a public figure, some of us may anticipate (not always correctly) that the disgraced Farnsworth will fade from view. Integrity has been treated as an admission ticket. For C. I. Lewis, "one who presents argument is worthy of confidence only if he be first a moral man, a man of integrity . . ." Integrity, in the words of John Finley, "is honor's castle, friendship's bower."

'Integrity' derives from *integer*, adj., for 'whole.' On the integers, the set of equivalence classes of differences of natural numbers, the only defined operations are addition, subtraction, and multiplication, and these produce only whole, not fractional numbers. This etymology explains the notion of 'keeping intact' one's self, avoiding its 'disintegration.' Integrity is often spoken of as a structure. Kant held that the effect of a lie on an agent's dignity is to annihilate it (*Doctrine of Virtue* 6: 429). Self-deception has been said to confirm lack of integrity as it corrupts an agent's moral character and subverts a constitutional order (Darwall 1988). Compromised integrity may not merely diminish, it may shatter—perhaps, like Humpty-Dumpty, irreparably. After an agent has acted untruthfully, we may sense that we do not know the inner workings of the agent's integrity, such as it is. If the agent is self-deceived, the agent may not know them either.⁴⁸ We may conclude that trustworthiness is lacking, and decline to repose further trust.

Another influence toward dismissal of someone exposed for lack of integrity stems from the history of the concept of sincerity. 'Sincerity' was originally a synonym of 'pure,' and applied only to things, as in 'a sincere wine' (Trilling 1972, ch. 1). Sincerity became an attribute of persons during Elizabethan society's fascination with dissembling. Dramatic villains (e.g., Iago, Tartuffe, and Uriah Heep) were typically dissemblers, the class of which Dante assigned to the penultimate circle of the Inferno. In the theater, a villain was

recognizable as someone trying to rise above station by pretending to be what they were not. The casuists' approval of equivocation so roiled England as to propagate an alarm that one could not trust a Catholic to speak truthfully.

Our post-Victorian view no longer imagines villains of unalloyed badness. We view everyone as partly good and partly bad. But a keenness for espying self-deception seems to persist. We may have inherited the tendency to villainize deception, to infer from one betrayal that we have spotted a rogue. Sometimes a betrayal of truthfulness exposes a thoroughly mendacious character. On other occasions a single instance of self-promoting deception reliably indicates mediocrity. In still other cases, the most that may be said with assurance is that someone of considerable ability who has cultivated intellectual honesty has once failed to act in accordance with that disposition. The future credibility of the deceiver may depend on the extent of deception's ill effects on the deceiver. It is surely possible that a deceiver may reform and solidify a virtuous disposition so as to deserve approbation as veracious and intellectually honest. Yet opprobrium lingers. Colleagues may doubt the feasibility of reform. Trust, as has often been said, is easily lost, but not easily regained. Are we unduly swayed by a physical model of integrity? If we insist on that analogy, or on judgments of unalloyed villainy, we shall risk being unforgiving. We perhaps ought sometimes to allow, here borrowing an expression from Quine, that the person we have judged ignominious may be more gnomitious than we think.

NOTES

¹ I discuss this further in Guenin 1999 in regard to a controversy about defining offenses.

² *Republic* 485d, 490a. In the *Laws* 730c, Plato asserts that truth is the first of all things good.

³ Although veraciousness may be inferred from instances of truthfulness, veraciousness the disposition is not the same as the set of those instances. A stronger disposition than veraciousness, a disposition to render what one says (including nonverbally) wholly in accord with what one thinks, is sincerity. See Walker 1978. Of this more in §8.

⁴ References herein to Kant's works follow the pagination of the Royal Prussian Academy of Sciences edition.

⁵ Here I follow the interpretation of Rawls 2000, 187–190. Other contemporary readers of Kant construe 'humanity' simply as the rational capacity to choose ends. Kant in various places associates 'humanity' with each of the listed attributes.

⁶ *Groundwork* 4: 403, 422, 430; “On Lying,” *The Doctrine of Virtue* 6: 429–431; *Lectures on Ethics* 27: 444–449, 496, 604–605, 699–702.

⁷ These are the only places in which Kant applies the formula of universal law to truth-telling (although he also applies the formula at *Groundwork* 4: 403 to false promising).

⁸ Williams 2002, 114, 117–119, 121–122 (as to what is said) and 212–213 (as to what is not said, as when government rightly maintains secrets).

⁹ Here, contrary to Kant’s use of ‘humanity’ earlier described, the text (from the hand of Kant’s student Georg Collins) interchanges ‘mankind’ and ‘humanity.’

¹⁰ For an account of Augustine’s view, and for many other insights, I am indebted to Bok 1978.

¹¹ *Lectures on Ethics* 27: 448. A seldom quoted passage of lecture notes taken by Kant’s colleague Vigilantius suggests that one may justifiably lie “to prevent harm” (27: 701), but this wider exception does not square with the emphatic text from Kant’s own hand. Barbara Herman writes that not even saving a life qualifies as an exception to Kant’s duty of truthfulness (Herman 1993, 155–156).

¹² In the *Critique of Practical Reason* 5: 66, Kant lists *exceptivae* among the categories of moral reasoning. See Wood 2002a, 168; Wood 1999, 350, n. 14.

¹³ Hare 1997, 62, 164. See *Groundwork* 4: 430.

¹⁴ This is explained in MacIntyre 1995, 307–361.

¹⁵ Allen W. Wood brings to light this perspective of both Rousseau and Kant (Wood 2004; Wood 1999, 200, 261).

¹⁶ I am grateful to Stephen Darwall for drawing my attention to the significance of a cooperative society in this context.

¹⁷ See Hursthouse 1999, 11–13, who adds that a virtue also involves acting wholeheartedly, committedly, and in other ways. But this is not beyond the reach of a dispositional account, as one can be disposed to mental states concomitant with actions.

¹⁸ Kant would say that lying is wrong as a diminution of self even if it does not impair communication. Williams offers a state of nature “genealogy” relating how truthfulness may have come to be practiced. A functional account, he says, would be false. But “the imaginary genealogy itself reveals a gap in the motivations to truthfulness,” to fill which one must consult human history (Williams 2002, 34, 39, 86).

¹⁹ Scanlon 1998, ch. 7. See also Scanlon 2002, 523, 525. Williams shares the second perspective (Williams 2002, 294, n. 41).

²⁰ This is discussed in Darwall 1988, 425.

²¹ Commencement address, California Institute of Technology, 1974, quoted in Feynman 1986, 313.

²² One statement of a professional society declares that “The professor must scrupulously acknowledge every intellectual debt” (American Association of University Professors 1989).

²³ For example, U. S. law waives any government claim of copyright in work by government personnel (17 U. S. C. § 105). Hence the government does not claim copyright in grant recipients’ work.

²⁴ Chisholm and Feehan’s definition of deception differs from mine in that, first, theirs does not demand an utterance, and second, they count as deception an act

of allowing another to hold or lose a belief. As they define ‘allow,’ *U* deceives any *V* with whom *U* could communicate as to any false belief of *V* that *U* does not disturb, even if *U* never talks to *V*. Chisholm and Feehan do not imply that in this case *U* acts wrongly; theirs is an epistemological account. As my concern is moral, I define deception more narrowly.

²⁵ Grice 1989, 22–44, 368–372. The role of implicatures in deception was brought to my attention by Williams 2002, 97ff. In an earlier (now seemingly quaint) nomenclature, the foregoing forms of positive deception would have been called *suggestio falsi*, those of negative deception *suppressio veri*. But ‘contributes to’ captures more than suggestion and concealment.

²⁶ I am grateful to Israel Scheffler for conversation on this point.

²⁷ I am indebted to Stephen Darwall for clarification of concepts mentioned in this paragraph.

²⁸ Williams 2002, 106–108. Williams goes on to speak of “the level of social falsehood that is needed to sustain the world of friendly trust.” He claims that in friendly situations, “how far ... anyone believes what is said or expects it to be believed ... differs in different places, and to a large and helpful extent the question has no determinate answer” (113).

²⁹ Korsgaard 1996, 348–352. See also *Doctrine of Virtue* 6: 430.

³⁰ *The Conflict of the Faculties*, 9–19. I am indebted to MacIntyre’s lecture for bringing this episode to my attention.

³¹ As discussed in Korsgaard 1996, 336, 338–339, 355.

³² Adams 1999, 158. In this hypothetical case, the acquaintances have no stake in the matter, the acquaintances suffer no significant harm from not learning the secret, the agent gains no satisfaction in hiding the secret, and the lies go undetected.

³³ Rule 10b-5 under the Securities Exchange Act of 1934, as amended, 17 C.F.R. § 240.10b-5.

³⁴ *Lectures on Ethics* 27: 449, 702. Kant describes *reservatio mentalis* as dissimulation.

³⁵ See Jonsen and Toulmin 1988, 197ff.

³⁶ The *Lectures on Ethics* also contain an explicit mention of an attempt in swearing an oath to practice *reservatio mentalis* or equivocation (27: 449, 622).

³⁷ I owe this refutation to a remark in Williams 2002, 104.

³⁸ *Republic* 389b–d. Williams speaks of a prevalent notion in the world of Odysseus that enemies do not deserve the truth (Williams 2002, 12–122, 277).

³⁹ *Gorgias* 466b–468e5; see Vlastos 1991, 156. Vlastos also disarms the critical weaponry trained on another allegedly sophistical serious argument, that at *Gorgias* 474b–475c, by noting (139–148) that this argument’s invalidity does not appear to have been known before the twentieth century.

⁴⁰ I am indebted to Israel Scheffler for the insight that dispositions to shun laziness and avoid exaggeration are components of intellectual honesty.

⁴¹ By this I do not refer to the practice of recasting a position in its strongest possible form. That worthy strategy may not so much display candor about the opponent as it may enhance the author’s position by setting up for defeat a stronger position than the opponent’s.

⁴² I am not here suggesting that embryonic stem cell research is morally impermissible. On the contrary, in Guenin 2001, I argue that it is virtuous.

⁴³ I am indebted to Stephen Darwall for this expression.

⁴⁴ A helpful discussion is provided in Wood 2004, where it is argued that when someone says, "I choose to believe that . . .," there is no reason to think that they cannot be accurately reporting their state of mind. Wood defends the precept that only an epistemically justified belief is a morally justified belief. He argues that condoning violation of that precept "is profoundly corrupting, not only to individuals but even more to public discourse" (Wood 2002b, 38).

⁴⁵ The suggestion of honesty's centrality as to [2] in McFall 1987 allows a plausible reading of her comment that integrity is consistent with deception. McFall rests that comment on the case of a Nazi at the door during World War II, deceiving whom, she concludes, will not cause a loss of integrity. Similarly as to [3], Beethoven's *Leonora* has been described as deceiving yet possessed of integrity (Taylor 1981). These examples do not so much tell against the place of veraciousness in integrity as they exemplify how, according to some moral views, there may occasionally arise justifications for deception.

⁴⁶ As pointed out in Williams 1981, 14.

⁴⁷ This view is set forth in Vines 1999, 65–66.

⁴⁸ "The self-deceived person," writes Cheshire Calhoun, "is unable to see what actually motivates her. She thinks it is one thing (for instance, cautiousness) when in fact it is something else (cowardice). As a result, the will she has is not the one she claims to want" (Calhoun 1995, 236).

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