

Comments on Alasdair MacIntyre's

"Truthfulness, Lies, and Moral Philosophers: What Can we Learn from Kant?"

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As Alasdair MacIntyre sees it, Mill and others like him think that the rule against lying expresses the value we set on the promotion of trust, and think that it may be overridden when the other consequences of telling the truth would be terrible. By contrast, Kant and others like him think that the rule against lying expresses the non-consequentialist value which we set on truth itself, and that this rule can never be overridden. MacIntyre himself seeks a position that is intermediate, both in terms of its justification and in terms of its practical consequences. He brings considerations of trust and considerations of truth together by reminding us how essential truthfulness is to maintaining relationships of trust. This justification leads to a rule which instructs us to "uphold truthfulness in all of our actions by being unqualifiedly truthful in all of our relationships and by lying to aggressors only in order to protect those truthful relationships against aggressors, and even then only when lying is the least harm that can afford an effective defense against aggression."¹

Now I once defended a position very similar to this, both in terms of the justification and in terms of the consequences, in a paper called "The Right to Lie: Kant on Dealing with Evil," in which I took up the case of the murderer who asks whether his victim is hidden in your house.² But there is an important difference between MacIntyre's solution to the problem and my own, which is related to

¹ Lecture 2, p. 20, but with "our" and "ours" for "your" and "yours."

² *Philosophy and Public Affairs* 15 (1986): 325-349. MacIntyre says that what I say in that paper is that Kant's Formula of Universal Law needs to be supplemented and interpreted by Kant's Formulas of Humanity and Autonomy in the Kingdom of Ends. Actually, while I am sometimes tempted by that view, it isn't the view I meant to put forward in that paper, as will become clear in the text.

something about MacIntyre's view which makes me uneasy, and which I'd like to discuss. So I am going to begin by sketching my own view as briefly as I can.

My argument went like this. Kant's Formula of Universal Law asks us whether the method by which we propose to achieve our purpose would still be effective if it were used by everyone, and known to be so. Now when this test is applied to the case of the inquiring murderer, it turns out to be *permissible* to tell him the lie. That is, we could universalize, and even publicly announce, a policy of lying to inquiring murderers, since murderers, when they come around asking questions, suppose that we do not know they are murderers. A murderer who asks us questions must conceal his murderous intentions or we will simply call the police. But if the murderer thinks that you don't know he is a murderer, then he thinks you won't apply the policy of always lying to inquiring murderers when you talk to him. Lying to the murderer therefore *passes* the Universal Law test; it is effective even when adopted as a universal and public policy.

While the details of the argument will look different in different cases, the more general point is that policies of self-defense, of meeting force and deception with force and deception, can be universalized. The actions that characteristically fail the universalization test are cases of *parasitic* action, cases in which the agent takes insidious advantage of the fact that not everyone acts in the way he does. Self-defensive actions are not like this. Kant himself gives expression to this idea in *The Lectures on Ethics*, where he characterizes lying to those "who [are] ready to abuse our truthfulness" as "a weapon of defense."³

But when we turn to the Formula of Humanity, we do encounter an absolute prohibition against lying. The Formula of Humanity enjoins us never to treat a person's humanity, by which Kant means her power of rational choice, or more

³ *Lectures on Ethics*, p. 228.

generally her deliberative capacity, as a mere means. Any form of deception, coercion, or force violates this injunction, since these methods are attempts to take the direction of a person's decisions out of her own hands. Force deprives a person of her power of choice altogether, while someone who resorts to deception or coercion tries to use the other's deliberative capacity as a mere means to some desired end. In Kant's own example, a person who needs money makes a lying promise in order to get it - he promises to repay the money, although he knows he will not be able to do so. This liar's attitude towards the lender's reason is one of tool-use: he says to himself, "If I tell her that I will repay, then she'll give me the money." His only question is about which levers to push in order to get the desired result. His attitude therefore violates the Kantian ideal of how human relationships should be conducted. That ideal is that we must treat one another as co-legislators in the Kingdom of Ends. The ideal dictates that if I need your action to promote my end, what I should do is place the matter before you and *ask* you for your assistance; if your action is needed for my end, then you as a co-legislator are entitled to have a "vote" as to whether the end will be realized or not. Not only the liar, but everyone who uses manipulative speech - everyone whose words are chosen more for their effect on outcomes than for their capacity to convey the truth - is guilty of using the other as mere means.^{4,5}

⁴ In fact even the frivolous liar, whose purpose is only to draw attention and interest to himself, and not strictly speaking to make use of the other, violates the ideal, for to him his listeners are a mere source of gratification and nothing more.

⁵ As I've argued elsewhere (in "Creating the Kingdom of Ends: Reciprocity and Responsibility in Personal Relationships" in *Philosophical Perspectives VI: Ethics*, edited by James E. Tomberlin. Atascadero, California: The Ridgeview Publishing Company, 1992), this picture can be supported by what Kant actually says about personal relationships. Following Rousseau, Kant sees personal relationships - marriage and friendship as well as fellow-citizenship - as the joining together of two or more wills into a general will. When we become friends or get married, I take your reasons for my own and you take mine for yours, an act of reciprocal exchange that unifies our two deliberative wills into a single, general, will. Lying is

Putting these two arguments together, we get the result that lying always violates our moral ideal of how human relationships should be conducted, but that it is nevertheless permissible to lie in certain circumstances, namely, those in which the other, the one you lie to, has already violated that ideal by the use of deception or coercion. I also argued that we should avail ourselves of this permission only when some important moral duty - such as protecting a friend's life - is at stake. More specifically I proposed that, following John Rawls, we should make a distinction between the principles of ideal theory, which govern our relationships with others who are reasonable and cooperative, and those of non-ideal theory, which we use in dealing with those who do not themselves act in accordance with moral principles. The principle that you should never tell a lie, and the other strict principles which follow from the Formula of Humanity, are principles of ideal theory, not to be violated except when we are dealing with evil; the principles of allowable self-defense belong to non-ideal theory, which is governed by the Formula of Universal Law.⁶

I hope the similarity of this view to MacIntyre's is obvious. Like his view it brings together trust and truth by emphasizing the role of truthfulness in human relationships, and like his view it allows us to resist those who would abuse our truthfulness. There is, however, an important difference. MacIntyre's principle doesn't distinguish between ideal and non-ideal circumstances. Instead, MacIntyre's principle specifies two different ways in which we can *realize* our ideal, an ideal that he

an attempt to retain control of deliberative outcomes in a situation of this kind. Since, as I argue below, all speech is to some extent a demand that others share your reasons and therefore a kind of claim on personal relationship, it follows that all lies are wrong.

⁶ That is, the Formula of Universal Law is the one uncompromising principle of non-ideal theory. There are other principles of Kantian non-ideal theory that govern the choice among permissible strategies for dealing with aggressors, by identifying those features of the ideal which it is most imperative not to violate. This too resembles a feature of MacIntyre's view, his principle that we should do the least possible harm when dealing with aggressors.

specifies as “upholding truthfulness.” We uphold truthfulness in our personal relationships by telling the truth and we uphold truthfulness in dealing with aggressors by lying to them when that is necessary to protect truthful relationships. MacIntyre therefore gives us a rule that we can always follow without moral cost, a way in which we can always uphold our ideals.⁷ I think, by contrast, that the ideal principle is not to uphold truthfulness but rather to *tell the truth*, and that we violate that ideal, with moral cost, *even* when we take permissible self-defensive measures against aggressors. I want to make two points in support of these claims. The first concerns the nature of the connection between trust and truth. In his first lecture, MacIntyre proposed that the concerns with truth and trust arise from two different moral traditions, which in turn draw on two different ways in which every human child learns not to lie. When children tell lies and we correct them, we teach them the rules, variable from one culture to another, that one has to follow in order to be regarded as trustworthy in that culture. In our culture, for instance, circumstances in which one is expected to pay insincere compliments abound, and one is considered polite, not untrustworthy, for doing so.⁸ The emphasis on truth, as opposed to trust, has a different root, in a semantic rule that assertions must be true, which we learn unconsciously in the course of learning our language. It would be impossible to teach

⁷ The criticism of MacIntyre which I am making here echoes one which Bernard Williams has leveled at both Kantianism and Utilitarianism in “Ethical Consistency” (in *Problems of the Self*, Cambridge: Cambridge University Press, 1973); “Persons, Character, and Morality” (in *Moral Luck*, Cambridge: Cambridge University Press, 1981); and other places. MacIntyre seems to refuse to acknowledge that an agent might be forced by circumstances to act in a way that is morally as well as in other ways regrettable. This is because he seems to be offering what I called a “single-level theory” in “The Right to Lie: Kant on Dealing with Evil” (already cited).

⁸ If the goal is trust, there might seem to be no problem here, since sufficient trust for social purposes does seem to survive the existence of this practice of mutual massage. But I am about to make an argument which has the implication that even these apparently harmless lies violate the Kantian ideal of human relationships which makes trust so important. Our social practices, I think, are open to criticism on these grounds.

or to learn a language, or, as Davidson and others have taught us, to translate one, if people did not in general or for the most part say what is true. The very *possibility* of lies is parasitic on this most general connection between language and truth. Since Kant's Formula of Universal Law forbids parasitic action, this point about language seems to be behind his view that lying is always wrong.

I do not think, however, that we need to turn to a different tradition like Mill's in order to make the kind of connection between truth and trust, or rather between truthfulness and ideal human relationships, which MacIntyre and I both want to make. This can be done within Kant's own theory once we keep in mind what happens whenever language is used, in consequence of the way language is learned. The semantic rule is that assertion is assertion-as-true. Now it follows that there is a sense in which *every* use of language is an invasion or an intrusion, an attempt to make use of the reason of another. Whenever I speak to you, in a language that you know, I force you to think certain thoughts, and to entertain them as true. I place my ideas before you in the character of truths, of candidates for belief, or - by a natural extension of these ideas - I place my needs before you in the character of candidates for satisfaction. Either way, I try to make you share my reasons. You can try to tune me out, although if I am loud and make eye-contact, you probably won't succeed. You can reject the truth of the thoughts that I put in your head, or the force of the reasons that I invite you to share. But this doesn't change what I am trying to do, which is to undertake the direction of your mind. To this extent, I am undertaking to use you as a means, to use your mind as a means. If I am not to fall afoul of the Kantian injunction not to use you as a *mere* means, I must not direct your mind in ways to which you could not consent.⁹ And it is obvious that one cannot voluntarily consent

⁹ This remark is based on a particular interpretation of the Kantian injunction not to treat others in ways to which they could not consent or agree. (*Groundwork of the Metaphysics of Morals*, 430.) I think Kant means that we must treat people in ways to which it is possible for

to believe what is false. So it follows that what I say to you must be true if I am to treat you as an end.

The point is that whenever we lie we are using another as a mere means. We are seeing her reason as a mere machine, a set of levers to be pulled in order to realize desired ends. Lying to someone is no different in moral character than twisting his arm. It is an attempt to make sure something happens, to retain control of deliberative outcomes. Non-violent people are rightly squeamish about using violence even on aggressors, and so it should be with lying. This holds even in the case of lying to the inquiring murderer. In lying to him, you do treat him as a mere means. And this is a terrible thing to do, to look right into a pair of human eyes, and treat their owner merely as a manipulable tool. It may be permissible in this case, because it is his fault that the two of you have come to this pass, but it is still a violation of everything we believe about how people should relate to one another.

This brings me to the second point I want to make, which is about why people tell lies, both when they are justified and when they are not. If what I've just said is right, most people are going to be very uncomfortable telling lies, just as most people are uncomfortable using violence. And I think this is true. Why then do people tell them? The answer is that we tell lies when we think we are dealing with people who just won't listen to reason. This feature is common to the case of the inquiring murderer and the two cases MacIntyre mentioned, of the women who used deception and violence in order to protect children under their care. In all of these cases, the

them to *actually* (rather than hypothetically) consent. The question is not whether another would have consented had she understood the way you are treating her, but whether it is actually open to her to consent or reject the transaction in which you are involving her. Deception, force, and coercion are ruled out by this criterion because they undercut the conditions of possible consent: a person cannot possibly consent to a transaction unless she has knowledge of what is going on and some power over the proceedings. I defend this interpretation in "The Right to Lie: Kant on Dealing with Evil" (already cited). See also Onora O'Neill, "Between Consenting Adults," *Philosophy and Public Affairs* 14 (1985): 252-277.

person who uses force or deception thinks there is no other way. The best course would be to talk the aggressors out of their aggression, to reason with them and convince them that what they propose to do is wrong, but we just don't think it is going to work. Nazi soldiers, prospective murderers, and rejected male lovers, are notoriously unsusceptible to the force of argument.

So I want to take issue with something MacIntyre said in his first lecture, about why people tell lies even though they don't believe in them. He suggested that it is because most of us learn two distinct sets of norms, one telling us to respect the rights of others and pursue the common good, and the other telling us to pursue our own self-interest and success in competition. I think there is an oversimplification there. No doubt there are people, perhaps especially in worlds of business and law, whose lies are simply venal and meant to give the liar a competitive edge. But I think it is at least as common for lies to be motivated by the fear of misinterpretation, misunderstanding, and incomprehension. I've done quite a bit of speaking about lies, both at philosophy colloquia and at medical schools, and like MacIntyre I've talked to a lot of people about it. To me it seems that the commonest thought behind a lie is that the other just won't understand if you tell him the truth. Of course this is what older doctors think - that their patients will just dissolve into puddles of panic and incomprehension if told the truth about their illnesses.¹⁰ But I've also talked, for instance, to young people who lie to their parents about their sex lives, about whether they are living with someone outside of marriage or about their sexual orientation. Many of these young people would rather tell their parents the truth, but they expect their parents to meet the truth with a wall of disapproving moral judgment, a refusal to really listen and try to understand why one might choose to live that way. In some

¹⁰ I don't mean to oversimplify the psychology here. Many older doctors do think this. But it is also clear that many of them also cling to the thought, as a *pretext* for retaining control of the deliberative situation. And this happens in many other cases as well.

cases these young people are probably doing their parents a serious injustice; in other cases unfortunately they are not.

The general point is this: lies are not only a cause of distrust. They are also a product and an *expression* of distrust. And this shows another way in which they are always wrong. Because of course it is wrong not to trust people. Frequently we don't and often we can't and sometimes the event shows that in a certain way we were right not to. But from a moral point of view it is wrong to decide in advance of conversation that the other just isn't going to be reasonable, can't be addressed as a fellow rational creature, can't be trusted and so must be treated as a mere means. There's something wrong about approaching people in that spirit.

So this is what makes me uneasy about MacIntyre's view. MacIntyre's rule tells us to uphold truthfulness, and then gives us two ways to do this, by telling the truth in our relationships and by lying to aggressors when that is needed to make the world safe for truthful relationships. In this way we can uphold the ideal of truthfulness in all that we do. The trouble with this is that whenever you speak to anyone you've already entered into a relationship, the relationship of one human mind making a claim on another. And the decision to regard the other as an aggressor, as one who cannot be trusted, is always fraught with moral ambiguity, even in the most obvious cases.¹¹ MacIntyre's account seems to me to leave this essential ambiguity out.

¹¹ That is, if you lie to someone thinking that they cannot handle the truth or are incapable of reasoning correctly, and you are right, it is only a case of what Williams has called "moral luck." See "Moral Luck" in *Moral Luck* (already cited).