



*Jarosław Kucharski,  
Usprawiedliwione kłamstwo  
we współczesnej etyce stosowanej,  
Akademia Ignatianum,  
Wydawnictwo WAM, Kraków 2014,  
315 pages;  
Literal translation of the title:  
'Justified lie in contemporary  
applied ethics' – translator's note.*

A lie, as Martin Buber reminds, is the evil that the human brought into nature. Yet it is also true that 'a lie is human's natural environment' (P. Wierzbicki). The above is the more true as our civilisation would be difficult to imagine without even a smidgeon of lie. The 'difficulty' goes so far that the perspective of the possibility of reading human thoughts thanks to the progress in brain studies leads to an understandable anxiety.<sup>1</sup> Agreeing that lying is principally bad (or evil), we also agree that its certain margin is justified if not necessary.

---

<sup>1</sup> J.D. Green, *From Neural „Is” to Moral „Ought”: What are the Moral Implications of Neuroscientific Moral Psychology*, „Natural Reviews Neuroscience” 2003, No. 4; J.D. Green, L.E. Nyström, A.D. Engell, J.M. Darley, J.D. Cohen, *The Neural Bases of Cognitive Conflict and Control in Moral Judgment*, „Neuron” 2004, No. 44, pp. 847–850.

Necessary to such an extent that it is good. When, in the hope of affirmation, somebody asks whether they look good or not, however we perceive them, we confirm that they look nice, so as not to cause anguish. Eager not to hurt a child, we do not say that the child's mother died, but instead we lie she is gone. We expect that, serving the state, our spy will not admit to his profession, but will deceive (i.e., lie) that he is a diplomat or a businessman. A sanctioned right to defence allows lying in the case of a suspect or accused.

Briefly speaking, our civilisation, and ethics within its framework, sometimes may justify a lie, and sometimes even go as far as to require it.

Kucharski's book considers the limits of the justified lie. Devoted to the question are Chapter 3: *Usprawiedliwione kłamstwo w praktyce* (literally: 'justified lie in practice') and Chapter 4: *Wybrane sposoby usprawiedliwiania kłamstwa* (literally: 'selected ways of justifying lie'). Chapter 3 (from p. 137 to p. 262) is divided into three parts. Part I: *Kłamstwo w życiu codziennym* (literally: 'the lie in everyday life') lists among others the conventional (social) lie, the educational lie, and a lie in protection of a secret. Part II: *Usprawiedliwione kłamstwo a etyka biznesu* (literally: 'justified lie and the ethics of business') discusses among others lies in negotiations and marketing lies.

Part III: *Usprawiedliwione kłamstwo w praktyce medycznej* (literally: 'justified lie in medical practice') discusses situations in which a lie may be justified, for example in a physician–patient relationship, and the circumstances of a justified lie in therapeutic and diagnostic relationships.

The following chapter (No. 4, from p. 263 to p. 294) presents ways of rationalising the lies discussed in the previous chapter, distinguishing excuse (*tłumaczenie*) from justification (*usprawiedliwianie*). These are considerations that are extremely interesting from the point of view of ethics and general philosophy.

Yet for people dealing professionally or scientifically with lie detection, the first two chapters of the book are of a special interest.

Chapter 1 on *Wybrane historyczne teorie dotyczące usprawiedliwiania kłamstwa* (literally 'selected historical theories concerning the justification of a lie') reports on the views of theoreticians of philosophy: Plato, Aristotle, St Augustine, Thomas Aquinas, Machiavelli, Grotius, Kant, Bentham, and J.S. Mill. Before passing on to the moral evaluation of the lie in each of the philosophers listed, the author presents their definitions of the lie, and distinctions between lie (*kłamstwo*), deception (*nieszczerość*), and deceit

(*oszustwo*). Thus, Plato distinguished *pseudes*, i.e. falsehood – the opposite of truth – from the lie, which is the opposite of truthfulness.

In *Nicomachean Ethics*, Aristotle distinguishes between two basic types of a lie: pretending and hiding. St Augustine claims that ‘a lie consists in speaking a falsehood with the intention of deceiving’. Yet pretending and other ‘phenomena akin to a lie’ are something different in St Augustine.

Thomas Aquinas distinguishes three elements in the lie: the material, depending on the logical value of the utterance (an utterance incongruous with truth), formal (the will to make a false statement), and the causative or intentional (the intention to mislead another person).

This means that St Thomas defines a lie as an utterance that the speaker is convinced to be false, that is furthermore uttered to mislead somebody.

Kant finds a lie ‘a purposeful falsehood in expressing one’s thoughts’.

John Stuart Mill believes an utterance that consciously misleads somebody a lie.

The author generalises the thoughts of the selected classics of philosophy in Chapter 2 (*Systematyka kłamstwa*, which literally translates into ‘the systemic classification of the lie’), and then presents the construction of the lie in the following manner:

1. The source (liar) actively sends a misleading message (‘he says that...’)
2. The sent message is not true in the objective sense (‘it is not so in reality...’)
3. X is aware that his message is not true (the message is not true in the subjective sense)
4. X wants Y to recognise the message as true
5. Y recognises the message as true (p. 94).

A number of reservations about the presented format can be made, not even mentioning the fact that ‘source (liar)’ from the first statement becomes X in statement no. 3, with no. 4 introducing also Y, who was absent from the previous three.

The essence lies elsewhere, nonetheless.

It goes without saying that the one who utters a sentence that is logically false, and knowing that it is so, is a liar ('source, X'). Yet one can have doubts whether, to recognise the lie, it is necessary for the liar to want the recipient to recognise that the false statement that he makes is a true one? What happens if somebody utters a false statement knowing that it is false but he does not care whether his listener recognises it as true or not? And can't one lie in solitude? Yet for the existence of a lie, it is certainly not necessary that the false statement that somebody intentionally utters must be recognised as true by somebody else.

Does the one who consciously utters a false statement as true, eager to have listeners believe him, stop being a liar if they do not believe him from the outset?

The author is right to quote (p. 98) the definition of a lie put forth by B. Williams (see: B. Williams: Truth and truthfulness, Princeton Univ. Press, Princeton-Oxford 2002, p. 96) stating that a lie is such an assertion that the source considers false and which was made with the intention to deceive the recipient about the truthfulness of its content'.

The author is also right to quote J. Pelc, and to claim that the 'utterance' of a liar must be construed broadly and encompass all the actions that can have a logical value assigned (p. 94). It seems that rather than saying 'says that' or 'speaks', one should say 'informs', 'transfers information', or 'sends a message', etc. (p. 95) as the notion may encompass also a gesture, or a message transmitted through miming, etc.

In forensic studies and psychology, we frequently use the terms lie (*kłamstwo*) and deception (*nieszczerość*). Moreover, we speak of 'lie detection' as well.

These terms are used quite freely, and not defined as a rule. By the way, 'lie detection' is an imprecise term, as it is used for psychophysiological instrumental methods (which also include polygraph examination). What is actually detected are emotional changes and their physiological correlates, and the inference whether the subject gave a true answer or lied is only made from their presence, and that only accounting for the context which the examination provides (that is the pre-test interview and test questions).

It must also be remembered that test questions in polygraph examinations are the distinctive questions which are answered 'yes' or 'no'. As questions, they carry no logical value. In turn, the answer 'yes' or 'no' has such a logical value (it is true or false) in the context of the content of the question, and taken together with it.

We deal with an absolutely different form of lie or deception (*kłamstwo*) in certain non-instrumental methods of lie detection that analyse utterances (e.g. SCAN). In this case, the essence is – unlike in the polygraph examination, geared towards the assessment whether the answer ‘no’ to the critical question in a test was a lie – the assessment whether the tale (narrative) was an account on the events in which the narrator participated (or witnessed), or it is a projection of vagaries of the mind, or repetition of a learned text (...).

Philosophical considerations, like those present in the reviewed book, can be useful for a clearer classification, and for the more precise language of forensic studies and psychology. That is why the book is recommend especially to those who deal professionally with lie detection, and also to those who do it practically, and then formulate conclusions from the examinations in the form of opinions presented to the court.

Jan Widacki\*, Anna Szuba-Boroń

---

\* janwidacki@gmail.com