

# The Metasemantics of the Lying/Misleading Distinction

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## 1 Introduction

In July 2021 the British Labour MP Dawn Butler was expelled from the House of Commons for stating that ‘The prime minister has lied to this house time and time again’. The basis for her expulsion was the use of ‘unparlamentary language’: the word ‘lie’. Other examples of unparlamentary language include ‘coward’, ‘hooligan’, and ‘traitor’. These are all, like the word ‘lie’, pejorative expressions. They do more than describe their target: they evoke a range of negative emotional responses and associations that denigrate their target. This is what gives pejoratives their unique power to offend. If Butler had instead said that ‘The prime minister has repeatedly stated known falsehoods to the house’ it is not clear that she would have been expelled. It is also not clear that her statement would have been nearly as powerful.

The fact that the words ‘lie’ and ‘liar’ denigrate their targets in this way allows them to perform an important function in the policing of speech. The risk of being labeled a liar provides a powerful disincentive against lying. I will argue in what follows that this function plays a central role in explaining the distinction between lying and misleading.

It is typically thought that to lie one must assert something one believes to be false. By avoiding assertion, one avoids lying. This picture has been convincingly challenged by [Emanual Viebahn \(2017, 2020, 2021\)](#) who argues that informative presuppositions and certain kinds of implicatures can be lies. Viebahn proposes an alternative commitment based account of lying. However, in what follows I will argue that Viebahn’s approach is also inadequate. This leads to our core question: what distinguishes lying from merely misleading?

I will argue that we simply have a convention of applying the label ‘lie’ to certain communicative acts rather than others. There is no deep underlying connection between the communicative acts that fall under the extension ‘lie’. However, given the powerful lexical effects of the word ‘lie’ it is practically beneficial for us, as a community, to group a specific range of communicative acts under this label. It is beneficial to us that certain forms of dishonest speech (but not others) are singled out as especially worthy of denigration.

## 2 Lying and Asserting

It is standardly assumed that one lies only if one asserts (or says) something one believes to be false.<sup>1</sup> One misleads if one communicates something one believes to be false without asserting it.<sup>2</sup> This allows us to capture the intuitive contrast present in the following:

**Elderly Woman** An elderly woman is dying. She asks if her son is well. You saw him yesterday (at which point he was happy and healthy), but you know that shortly after your meeting he was hit by a truck and killed. You can say either of the following:

1. I saw him yesterday and he was happy and healthy.
2. He's happy and healthy.

Cf. [Saul \(2012\)](#), p 70.

As Saul points out, (2) is a lie, whereas (1) is merely misleading. The key difference seems to be that with (2) you assert that the woman's son is happy and healthy. But with (1) you merely imply it. In order to lie, you must assert.

Unfortunately, this explanation will not do. In a series of recent papers Emanual [Viebahn \(2017, 2020, 2021\)](#) shows that a subject can lie with respect to  $p$  without saying that  $p$ . If we assume that one must say that  $p$  in order to assert that  $p$  this entails that one can lie without asserting something one believes to be false.<sup>3</sup>

His case against the standard view rests on the existence of non-literal lies, and presuppositional lies. Consider the following examples:

**Tomatoes** Ada is a keen gardener but has had an exceptionally bad crop of tomatoes. Ada wants Bill to think that her crop was

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<sup>1</sup>This is not a definition of lying, it is merely a necessary condition. Moreover, although widely accepted, it is not uncontroversial. The relevant notion of 'assertion' is controversial, see for example [Carson \(2006\)](#), [Fallis \(2009\)](#), [Saul \(2012\)](#), and [Stokke \(2013, 2016\)](#). There is also controversy regarding whether the speaker must strictly speaking disbelieve the relevant utterance, or simply consider it less likely than the alternative (see [Marsili \(2014\)](#), [Kraus \(2017\)](#), and [Pepp \(2018\)](#)). Moreover, [Carson \(2006, 2009, 2010\)](#) and [TT2015Turri & Turri \(2015\)](#) argue that lies must actually be false, and [Benton \(2018\)](#) goes further, holding that they must be known to be false. See [Mannison \(1969\)](#), [S2012Saul \(2012\)](#), and [Wiegmann et al \(2016\)](#) for arguments that lies needn't be false. I will assume in what follows that lies must be believed to be false, but needn't actually be false. This assumption will not play an important role in what follows.

<sup>2</sup>See for example [Carson \(2006, 2010\)](#), [Mahon \(2008\)](#), [Sorensen \(2007, 2010\)](#) [Fallis \(2009, 2012, 2013\)](#), [Lackey \(2013\)](#), [Stokke \(2013, 2016, 2018\)](#), [Maitra \(2018\)](#), [Pepp \(2019\)](#), [Peet \(2021\)](#), [Marsili \(Forthcoming\)](#).

<sup>3</sup>Viebahn himself questions this assumption in his [\(2020\)](#), suggesting that we may be able to assert that  $p$  by presupposing that  $p$ . A similar suggestion is made by [Garcia-Carpintero \(2019\)](#). [Viebahn \(2021\)](#) on other hand presents presuppositional lies as a problem for assertoric approaches to the lying/misleading distinction. I will assume (as is standard) that asserting  $p$  requires saying that  $p$ , and thus that Viebahn's cases undermine the assertoric approach to the lying/misleading distinction.

in fact great, so when she meets Bill and he asks how her crop of tomatoes has been, she utters:

3. I've got tomatoes coming out of my ears.

[Viebahn \(2017\)](#) p 1368. C.f. [Saul \(2012\)](#) p 16.

**Brother** Anne wants Bert to think she has a brother, although she knows that this is not the case. When Bert asks Anne what she is up to after work, she replies:

4. I am meeting my brother at the station.

Bert comes to believe that Anne has a brother.

[Viebahn \(2020\)](#) p 734.

**Question** Harry wants Rosa to think that his friend John is wealthy. In fact, John is not wealthy and does not own a car, as Harry knows very well. Harry asks Rosa:

5. Did you know that John owns a Mercedes?

Rosa comes to believe that John owns a Mercedes.

[Viebahn \(2020\)](#) p 735.

In each case the speaker lies. In **Tomatoes** Ada lies about the success of her tomato harvest.<sup>4</sup> The content of her lie is that she has had a successful harvest. Yet she does not *say* that she has had a successful harvest. She merely implies it. This suggests that, in certain circumstances, we can lie via implicature. In particular, Viebahn suggests that we can lie via *substitutional* implicature. Substitutional implicatures are contrasted with *additive* implicatures. An implicature is additive if it is conveyed along with the primary meaning of the utterance. An implicature is substitutional if the speaker does not mean to convey the primary meaning of their utterance - the content of the implicature stands in for the primary content. **Tomatoes** is a case of substitutional implicature. Ada does not mean to convey that she has tomatoes literally coming out of her ears. And this will be clear to the audience. Rather, she merely wishes to communicate that she has had a successful harvest.

The content of Anne's lie in **Brother** is that she has a brother. However, like Ada, she does not *say* that she has a brother. She merely presupposes it. As Viebahn notes, it might be responded that she merely lies about her plans for the afternoon, not about having a brother. However, we can construct contexts in which Anne clearly lies about having a brother. Consider the following modification:

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<sup>4</sup>For the notion of 'lying about' see [Holton \(2019\)](#).

**Brother in question** Bert wants to know if Anne has a brother. She doesn't have a brother, but she wants him to believe she does. Bert asks her 'do you have a brother?' She responds:

4. I am meeting my brother at the station.

In this context it is clear that she lies about having a brother. Yet, she still doesn't *say* that she has a brother.<sup>5</sup>

Finally, in **Question** the content of Harry's lie is that John owns a Mercedes. However, Harry does not *say* anything. Rather, he asks a question that presupposes that John owns a Mercedes.

Together these examples make for a convincing case against the assertion view of lying. But if lying does not require asserting something that one believes to be false, then what could distinguish lying from merely misleading?

### 3 Lying, Misleading, and Commitment

Viebahn argues that the difference between lying and misleading derives from the form of commitment involved. He defines lying as follows:

A lies to B if and only if there is a proposition p such that:

- (L1) A performs a communicative act C with p as content;
- (L2) with C, A intends to communicate p to B;
- (L3) with C, A commits herself to p; and
- (L4) A believes that p is false

[Viebahn \(2021\)](#), p 300.

The key clause of Viebahn's definition is (L3). The idea is that in cases like **Tomatoes**, **Brother**, and **Question** the speaker communicates and thereby commits themselves to the relevant proposition without asserting it. When we merely mislead we communicate in a non-committal way. Recall **Elderly Woman**: when the woman asks after her son you can communicate that he is in good health by saying (1): 'I saw him yesterday and he was happy and healthy'. In doing so, you avoid committing to the claim that the son is *currently* happy and healthy. You avoid lying by merely implying (additively) that the son is in good health.

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<sup>5</sup>For more on the way in which the question under discussion affects whether or not a subject lies see [Stokke \(2016, 2018\)](#). Stokke's account is unable to handle **Brother in question**. He holds that what one says in a context is the weakest answer to the question under discussion that entails the minimal content of one's utterance. The question under discussion here is whether or not Anne has a brother. No answer to this question entails the minimal content of Anne's utterance - that she is meeting her brother at the station later. For further objections to Stokke's approach see [Van Elswyk \(2020\)](#).

But what is meant by ‘commitment’ in this context? As Viebahn himself notes, there is a sense in which, by uttering (1), you would be committed to the claim that the elderly woman’s son is in good health. It is public knowledge that you have communicated this. You could be criticized for knowingly communicating something false. Nonetheless, there is an intuitive difference between **Elderly Woman** and the other cases we have discussed so far: the commitment involved in **Elderly Woman** seems to be weaker somehow.

Viebahn takes there to be a fairly specific form of commitment involved in lying: when one commits to  $p$  in the relevant sense one takes on certain downstream responsibilities with respect to  $p$ . In particular, one takes on the duty to either defend or retract one’s utterance in the face of challenges, including challenges concerning whether or not one knows  $p$ . You are not committed to  $p$  if you are able to coherently dismiss such challenges.<sup>6</sup>

Whilst forms of communication such as additive implicature do generate commitments these commitments are, according to Viebahn, weaker. They are akin to the commitments undertaken when one merely suggests something. If you merely suggest that  $p$  you cannot reasonably be expected to defend the claim that you know that  $p$ .<sup>7</sup>

To see the commitment account in action, consider **Question** again: Harry asks (5): ‘Did you know that John owns a Mercedes?’. Suppose Harry is then asked ‘how do you know that he actually *owns* a Mercedes? He might have rented one’ (Viebahn (2021, p 331)). In the face of this challenge Harry cannot coherently respond ‘I never committed to his owning a Mercedes’. He must either defend the claim that John owns a Mercedes, or else respond ‘I take it back, maybe he doesn’t own a Mercedes’. By contrast, consider **Elderly Woman** again. You tell the woman (1): ‘I saw him (your son) yesterday and he was happy and healthy’. If you are then asked ‘How do you know that he’s still OK now?’ you have the option of responding ‘I don’t know if he is still OK, but I never committed to the claim that he is.’ (C.f. Viebahn (2021) p 310).<sup>8</sup>

So far so good. Unfortunately though, there are problem cases for the commitment account. It appears that we can communicatively commit ourselves to something we believe to be false without lying. And we can tell a lie with the content  $p$  without committing to  $p$ . First we’ll consider a case of lying without commitment:<sup>9</sup>

**Beers** Wolfgang and Kurt are preparing for a house party. They have spent the afternoon arranging the house for their guests. One of Kurt’s tasks was to take the beers that they purchased for their guests and place them in a large ice filled bucket in the living room. Wolfgang asks ‘Are the beers in the bucket?’. Kurt has not yet put

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<sup>6</sup>Viebahn’s account thus draws on the long history of commitment based approaches to assertion including Peirce (1934), Searle (1975), Brandom (1983), Watson (2004), Rescorla (2009), Macfarlane (2011), Kripka (2014), Geurts (2019), and Shapiro (2020).

<sup>7</sup>For a similar suggestion see Adler (1997).

<sup>8</sup>For what it is worth, I actually find this to be a bit of a stretch. But I’m happy to go along with it for the sake of argument.

<sup>9</sup>This case is based on an example deployed for different purposes by Buchanan (2010).

the beers in the bucket. But he doesn't want Wolfgang to think he has been slacking off. So he replies:

6. The beers are in the bucket.

As it happens, Kurt and Wolfgang did reserve a few select beers for themselves, and those beers have been sat in a bucket upstairs for a few days. So, when Wolfgang discovers the empty beer bucket in the living room and accuses Kurt of lying, Kurt can coherently respond 'I never said *those* beers were in the bucket, I thought you meant the beers we had reserved for ourselves'.

Kurt lied to Wolfgang. He knowingly and intentionally asserted something false. And he did so with the intention of deceiving Wolfgang. However, due to the context sensitivity of 'the beers are in the bucket' he is able to coherently rebuff Wolfgang's challenge. He is not committed to the claim that the beers *for the guests* are in the bucket.<sup>10,11</sup> Next, consider the following:<sup>12</sup>

**Grice Scholars** Grice (1989) famously gave the following example of implicature: A lecturer is writing a letter of reference for a student applying for a philosophy job. In the letter he simply writes 'Dear Sir, Mr. X's command of English is excellent, and his attendance at tutorials has been regular. Yours, etc.' (Grice (1989), p. 33). The letter writer clearly implies that the student is not very good at philosophy. Suppose two contemporary philosophers of language (Ben and Jerry) have been discussing this case for a while. They both agree that the utterance implies that the student is no good at philosophy. But they disagree about why. After a while Ben decides to change the subject. A student from Jerry's department has recently applied for a position at Ben's department. So he asks 'by the way, X has just applied for a job at our department, is he any good?'. Jerry believes the student is very talented, however he personally dislikes him, so he confidently states:

7. 'His command of English is excellent, and his attendance at tutorials is regular'.

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<sup>10</sup>Others such as Hawthorne (2012), Peet (2015), and Camp (2018) have previously pointed to the way in which linguistic context sensitivity sometimes allows us to retain deniability with respect to the contents of our assertions.

<sup>11</sup>In his (2020) Viebahn seems to suggest that one avoids commitment to  $p$  only if one can coherently rebuff a challenge to  $p$  without lying. This claim is not found in his more developed (2021) account, and it is problematic: the whole point of maintaining plausible deniability with respect to an action  $\phi$  is that one can perform  $\phi$  whilst being able to plausibly deny that one has  $\phi$ 'd. Yet, on this version of Viebahn's view the only way to maintain plausible deniability about having  $\phi$ 'd would be to not  $\phi$ . This is not a notion of plausible deniability worth having. And, such a notion of commitment would be incapable of doing explanatory work in a theory of lying.

<sup>12</sup>This case is based on an example deployed for similar purposes by Peet (forthcoming).

Jerry misleads Ben. He knowingly communicates something false: that the student is not very good at philosophy. However, at least supposing that the student's tutorial attendance and grasp of English *are* both excellent, and that Jerry intended to communicate this along with the claim that the student is bad at philosophy, he has not lied. He merely implies (additively) that the student is not very good at philosophy.

Despite this, he is committed to the student's being a poor philosopher. Ben could reasonably challenge him as follows 'Do you really know that he is bad at philosophy? His supporting letters say that he's very good!'. In the face of this challenge Jerry could not coherently respond 'I don't know that he's a bad philosopher, but I never committed to the claim that he is'. This response would fall flat. It would most likely be met with incredulity. Failing that, Ben could respond 'we were *just* talking about Grice's letter writer example, you repeated it word for word. We both openly acknowledged what is communicated in that example. How can you possibly claim to have meant something else?'. Jerry can't claim that Ben's challenge is inappropriate; that he was merely suggesting that the student is bad at philosophy. He produced a bold, confident and unqualified statement that clearly communicated, in a way that could be directly pinned to him, that the student is bad at philosophy. And the stakes in the context are high. The student's professional future could potentially rest on the outcome of the exchange. To communicate anything so boldly about the student's quality as a philosopher in such a context requires knowledge just as clearly as any assertion requires knowledge.<sup>13</sup> Jerry's only coherent response would be to either defend his claim that the student is bad at philosophy, or else retract along the lines of 'OK, I take it back, I don't know that he's bad at philosophy'. By sticking to his guns he would lose all semblance of coherence and credibility.

**Beers and Grice Scholars** work together: Jerry has less deniability with respect to the claim that the student is bad at philosophy than Kurt has with respect to the claim that the beers *for the guests* are in the bucket. Jerry's credibility would be more damaged than Kurt's by the discovery that the student is good at philosophy. And stronger reactive attitudes would be appropriate in response to Jerry's utterance than Kurt's. Yet, Kurt clearly lied, and Jerry did not.

These observations do not, by themselves, spell doom for the commitment approach. Perhaps there is a different notion of commitment according to which Kurt is committed to the claim that the beers for the guests are in the bucket, whilst Jerry is not committed to the claim that the student is bad at philosophy. But it is not clear why any such form of commitment would be worth avoiding. If it is harder for Jerry to avoid rebuke, and he loses more credibility, why would it matter to him that there is some technical notion of commitment that he manages to avoid? Kurt seems to be better off than Jerry in every relevant

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<sup>13</sup>Indeed, it has recently been argued by Haziza (*forthcoming*) that if knowledge is the norm of assertion then it is also the norm of implicature. If this is correct then knowledge challenges will be appropriate for implicatures even in low stakes contexts where the implicature is less clear.

respect. An alternative commitment based account of lying will have to tell us why we should care about the form of commitment Jerry avoids.

So, both the commitment approach and the assertion approach face major problems. This leaves us with a challenge: If the assertion and commitment accounts are both mistaken then what distinguishes lying from misleading? In the remainder of this paper I will outline a new approach to the lying/misleading distinction. I will start by highlighting an important, but often ignored feature of the words ‘lie’ and ‘liar’: the fact that they are pejoratives. I will then consider the benefits of having a pejorative expression for appraising communicative acts. This, will help us understand why some forms of dishonest communication fall in the extension of ‘lie’ whilst others are counted as merely misleading.

## 4 The Power of ‘Lie’

The words ‘lie’ and ‘liar’ do more than simply describe their target: they also disparage their target. There is a sting to being labeled a ‘liar’ that is not present when one is merely called out for stating something false. It is for this reason that, as the Labor MP Dawn Butler discovered in July 2021, labeling someone a ‘liar’ can be seen as a serious breach of decorum. Her statement that the prime minister ‘lied to the house’ was deemed ‘unparliamentary’ and resulted in her expulsion from the House of Commons. The word ‘lie’ thus finds a place amongst other pejoratives such as ‘coward’, ‘hooligan’, and ‘traitor’.

A pejorative’s ability to denigrate derives, I will assume, from its ‘lexical effects’: from the range of affective, associative and cognitive responses a term triggers in typical hearers.<sup>14</sup> Lepore and Stonjic (Forthcoming) draw a useful analogy with symbols: the swastika, for example, evokes a powerful range of associations and emotional responses. Most of us would struggle to articulate the exact range of responses it evokes, but it certainly has the power to cause significant discomfort and offense. Words are similar. They can evoke a powerful range of responses tied both to their cognitive value, history of use, and even phonetic resemblance to other terms.

What are the lexical effects of the words ‘lie’ and ‘liar’? It is not possible to precisely articulate the lexical effects of any given term. And the effects may differ somewhat from hearer to hearer. However, we can point in the right direction: the words ‘lie’ and ‘liar’ bring to mind betrayal, deception, and manipulation. They evoke feelings of disapproval, blame, and resentment. These associations and affective attitudes are evoked when we label someone

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<sup>14</sup>See Lepore & Stone (2018), Nunberg (2018), Cappelen & Dever (2019), and Lepore & Stonjic (Forthcoming) for more on the lexical effects of pejoratives and slurs. See Cappelen (2018), Cappelen & Dever (2019) and Nowak (2020) for more general discussions of lexical effects. For alternative approaches to pejoratives see Hom (2008), Anderson & Lepore (2013), Camp (2013), Jeshion (2013), Bolinger (2017), and Kirk-Gainnini (2019). Nothing of importance turns on my assumption of the lexical effects approach to pejoratives. Parallel arguments could be given in terms of these alternative theories.

a liar. They are not evoked (to anything like the same extent) when we use neutral counterparts such as ‘knowingly spoke falsely’.

I take the pejorative nature of the words ‘lie’ and ‘liar’ to be fairly obvious once pointed out. But how can this help us with the distinction between lying and merely misleading? The answer is that the lexical effects of the word ‘lie’ make it a powerful tool in the policing of speech. By labeling an utterance a lie a we discourage the speaker (and other language users) from performing relevantly similar utterances. We are discouraged from lying because we want to avoid having the powerful and disparaging label ‘liar’ applied to us. This, I believe, is what lies at the heart of the lying/misleading distinction. We have a convention of applying the word ‘lie’ to certain dishonest communicative acts and not others because it makes sense for us to discourage certain dishonest communicative acts but not others by labeling them ‘lies’. This convention fixes what it is to lie. I fixes what counts as lying.

This raises the following question: what communicative actions it would be useful to discourage via the powerful and disparaging label ‘lie’? To answer this question, it will be instructive to engage in a thought experiment.

## 5 Choosing a Meaning for ‘Lie’

Imagine for a moment that we are able to strip the word ‘lie’ of its meaning (i.e. its extension/intension). Suppose that it retains its lexical effects, but we as a community get to choose its meaning. What meaning should we choose?

An obvious first suggestion would be to apply the label ‘lie’ to all dishonest or misleading communicative acts. After all, surely we would be better off as a community if all dishonest or misleading communicative acts were strongly discouraged? The most obvious problem with this proposal is that we often have a legitimate need to mislead or deceive. Deception is often obligatory. Applying a powerful label like ‘lie’ to all dishonest or misleading acts of communication would serve to either weaken the power of ‘lie’, or else to condemn speakers for doing exactly what they ought do in a wide range of circumstances. It may well be that the optimal meaning for ‘lie’ will have it occasionally apply to innocent or even venerable communicative actions (Kant’s murderer at the door case is a frequently cited example). However, we should keep this to a minimum.

So, perhaps we should apply the term ‘lie’ only to morally problematic acts of dishonest or misleading communication? This would allow the term ‘lie’ to retain its force. It would also avoid condemning those who mislead only when it is morally fitting to do so. The problem is, most of us are not exactly moral saints. The majority of us do mislead from time to time, and our motives for doing so are not always virtuous. For most of us, improper deception won’t be a regular occurrence, and we will not typically mislead with respect to issues of importance. But still, I’m sure most of us would prefer the ability to occasionally mislead without running the risk of being labeled a liar.

Again, this issue could potentially be resolved by applying the word ‘lie’ only to dishonest communicative acts that cross some moral threshold. That is, we

could apply the label ‘lie’ only to especially egregious acts of dishonesty. There are two problems here. Firstly, any such threshold would vague and hard to track. Secondly, although we will all want the ability to occasionally mislead without running the risk of being labeled a liar, we don’t want to normalize the practice of misleading in low stakes contexts. After all, as audiences we will prefer never to be deceived. So, we will still want to discourage deception in general.

This can be achieved by reserving the term ‘lie’ for specific *ways* of communicating believed-falsehoods (i.e. propositions the speaker believes to be false). If there are ways of communicating believed-falsehoods that do not fall in the extension of ‘lie’, then we can deceive without risk of being labeled liars. But our ability to communicate falsehoods in such a low risk way will be highly restricted. This seems to be the optimal state of affairs.

So, the question now becomes ‘what types of communicative act should we treat as lie apt?’. That is, which ways of communicating falsehoods should we classify as ways of lying? The choice is no doubt somewhat arbitrary. But my suggestion is that we would be well served by applying the label ‘lie’ whenever a speaker communicates something they believe to be false by either asserting, presupposing, or substitutionally implying it. That is, the term ‘lie’ already has a perfectly good meaning.<sup>15</sup> I shall comment on each of these modes of communication in turn.

## 5.1 Assertion

Assertion is our default, easiest, and most direct means of linguistic communication. This is reason enough to treat assertions as lie apt.<sup>16</sup> However, a brief look at the literature on the ethics of lying reveals a number of additional reasons to do so. Several of these considerations will apply to speech acts other than assertion.

The first consideration, which will be unsurprising given our earlier discussion, is that assertion, unlike additive implicature, *typically* commits the speaker in a strong way to the proposition they communicate. There are exceptions to this. Context sensitivity sometimes allows us to retain plausible deniability with respect to assertoric content. Moreover, additive implicatures sometimes generate strong commitments. But this is not the norm. Most of the time assertion will carry a stronger commitment than additive implicature. And, as [Viebahn and Timmermann \(2021\)](#) point out, this makes assertion a more reliable means of deception than additive implicature. After all, as they put it ‘by answering in a non-committal way we open up a gap between what we commit ourselves

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<sup>15</sup>We may wish to add a further condition holding that in order to lie a speaker must aim to deceive the hearer ([Isenberg \(1964\)](#), [Chisholm & Feehan \(1977\)](#), [Williams \(2002\)](#), [Mahon \(2008\)](#), [Lackey \(2013\)](#)), or manifest poor quality of character ([Peet \(2021\)](#)). I will bracket such issues here as I am focusing only on the lying/misleading distinction, not the full analysis of ‘lie’.

<sup>16</sup>[Adler \(1997, 2018\)](#) takes this to motivate a stronger truth norm for assertions than implicatures. The suggestion here is similar.

to and what we mean to communicate' (p1493). Doing so 'leaves open a path to the truth' (p1494). That is, a sufficiently attentive hearer will recognize that the speaker has avoided commitment, and will be able to press the speaker for more information.

A similar point is made by [Strudler \(2010\)](#): Communicative exchanges typically take place against a backdrop of trust. Speakers invite trust when they assert, and audiences accept that invitation when they form testimonial beliefs. Without trust the basis for cooperative communication drops away. As a result, assertions are harder to challenge than implicatures (including some substitutional implicatures). In order to challenge an assertion the audience will usually have to disrupt the presupposition of trust. However, with implicature they can ask for clarification, they can acknowledge the possibility that they misinterpreted the speaker, or that they drew the wrong conclusions. In general, the stakes are far lower when challenging additive implicatures.<sup>17</sup> Again, these generalizations have exceptions. Context sensitivity will sometimes allow us to challenge an assertion without disrupting the presupposition of trust. And, as we have seen, some implicatures are so clear that they cannot be questioned without disrupting the presupposition of trust. But this is not the norm. So, assertion will usually be a more reliable means of deception. This is a further reason to utilize the term 'lie' to discourage the assertion of propositions believed to be false.

A third reason to treat assertions as lie apt can be found in [Berstler \(2019\)](#): Assertion plays an important metasemantic role. Following [Lewis \(1969\)](#) Berstler holds that linguistic meanings are determined by conventions of truthfulness and trust in assertion. That is, the meaning of a sentence  $S$  will be fixed by a convention whereby speakers assert  $S$  only when a particular proposition  $p$  is true, and hearers come to believe  $p$  whenever  $S$  is asserted. This convention will establish  $p$  as the meaning of  $S$ .<sup>18</sup> Conversational implicature does not play this metasemantic role.

This is significant for the following reason: when a speaker asserts something they believe to be false they directly benefit from a convention to which they are not contributing. They are free-riding on the efforts of their linguistic community. As Berstler puts it, the liar 'does something unfair', she 'reaps the benefits of the particular language she speaks without doing her part to secure its existence' (p 20). In doing so she wrongs her linguistic community. This is not so when we mislead via implicature. Given that we can lie via substitutional implicature Berstler's point fails as a general explanation of the wrongness of lying. However, it does provide an additional reason to treat assertions as lie apt.

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<sup>17</sup>[Webber \(2013\)](#) makes a related point: when a speaker is found to have falsely asserted this typically undermines their credibility across the board. When they are found to have mislead only via implicature this typically undermines their credibility only with respect to implicature.

<sup>18</sup>This picture of meaning conventions is controversial. [Keiser \(2016, Forthcoming\)](#) argues that meanings are established by conventions regarding the directing of attention. If Keiser is correct then this could spell trouble for Berstler's account. However, even if conventions of truthfulness and trust don't play a metasemantic role, it is plausible that they play some other role in our linguistic practice.

Indeed, as Berstler points out, it also explains why conventional implicatures (such as scalar implicatures) are lie apt. After all, when we mislead via scalar implicature we similarly exploit a convention to which we do not contribute.<sup>19</sup>

So, there are a number of reasons to treat assertions as lie apt. But what about informative presuppositions and substitutional implicatures?

## 5.2 Informative Presupposition

Most of the reasons to treat assertions as lie apt carry over to informative presupposition (that is, presuppositions used to communicate new information).<sup>20</sup> Informative presupposition is not our default or most direct way of communicating new information. However, it is still an easier means of communication than implicature. And this provides us with an initial reason to treat informative presuppositions as lie apt.

Secondly, as Viebahn emphasizes, informative presuppositions are typically highly committal. Thus, like assertion, informative presupposition is a reliable means of deception. Indeed, informative presupposition may be an even more reliable means of deception than assertion. Firstly, context sensitivity sometime gives speakers plausible deniability with respect to the contents of their assertions. This is because the evidence available to the audience fails to definitively rule out certain ways of resolving the context sensitivity. So, the speaker is able to claim that an alternative resolution of the context sensitivity was intended. However, it is not clear that the same form of underdetermination is generated by informative presupposition. It is usually possible to clearly and unambiguously identify a presupposition. So, whilst audiences are occasionally able to question an assertion without disrupting the presupposition of trust, this will rarely be possible with informative presuppositions.

Furthermore, we have conventionalized method for challenging assertions. but we have no such method for challanging presuppositions. Suppose a sentence  $S$  says that  $p$ , and presupposes that  $q$ . If a speaker asserts  $S$  the audience will be able to challenge them with respect to  $p$  by asking ‘do you really know that?’. But there is no such conventionalized method of challenging presuppositions. The audience has to identify and articulate the presupposition in order to challenge it. And this will not always be easy. Whilst we do reliably recover presuppositions, it is assertoric content that typically occupies our attention.

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<sup>19</sup>For empirical evidence suggesting that laypersons take conventional implicatures to be lie apt see Weissman & Terkourafi (2019).

<sup>20</sup>There are clear cases in which a speaker knowingly presupposes something false without lying. Consider, Stalnaker (1999):

... if you are presupposing something false but irrelevant, I may presuppose it as well, just to facilitate communication. (You refer to Mary’s partner as “her husband,” when I know that they are not married. But I might refer to him in the same way just to avoid diverting the discussion.) (Stalnaker (1999), 100)

It would be inappropriate to label such presuppositions lies. But this needn’t worry us. These presuppositions are not informative. That is, the speaker is not using the presupposition to communicate the specific content of the presupposition.

Presuppositions often slip under our conscious radar. And this makes them even harder to challenge than assertions. So, we have good reasons to discourage deception via informative presupposition by treating such presuppositions as lie apt.<sup>21</sup>

### 5.3 Substitutional Implicature

Substitutional implicature is less direct and harder to implement than assertion and informative presupposition. It is also a less reliable means of deception. After all, substitutional implicatures are typically more open to interpretation than assertions or presuppositions. Additionally, informative presuppositions don't play the same metasemantic role as assertions. So, those who mislead via substitutional implicature cannot be accused of unfairly reaping the benefits of their language without doing their part to secure those benefits.

However, substitutional implicature is still typically more committal than additive implicature. The reason for this is that when communicating via additive implicature the speaker intends to communicate two propositions: the literal content of their utterance, and the additional implied content. When challenged, the speaker can typically (although not always) fall back on the primary content of their utterance, claiming that they didn't intend the additional implied content. This option is not available with substitutional implicature. There is no plausible primary content for the speaker to fall back on. In order to rebuff challenges they have to identify a plausible alternative interpretation for their utterance. And this will typically be a difficult task. So, to repeat [Viebahn and Timmermann \(2021\)](#), additive implicatures typically 'leave a path to the truth'. Substitutional implicatures usually don't. In Strudler's terms, it is usually easier for audiences to challenge additive implicatures without calling into question the presupposition of trust. It is generally harder to do so with substitutional implicature.

So, the reasons for treating substitutional implicatures as lie apt are weaker than those for treating assertions and presuppositions as lie apt. However, there are stronger reasons to treat substitutional implicatures as lie apt than there are to treat additive implicatures as lie apt. Since our aim is to generally discourage the communication of misinformation in a wide range of contexts whilst still leaving open the possibility of occasional low risk deception, I suggest that it makes sense to count substitutional implicatures but not additive implicatures as lie apt. This leaves open a low risk means of deception. But it discourages the most direct, easy, and morally problematic means of deception. This, I suggest, explains why assertion, informative presupposition, and substitutive implicature are lie apt.

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<sup>21</sup>These considerations are not exhaustive. For example, at least some presuppositions are attached to specific triggers in a conventionalized manner. When exploiting such presuppositions in order to communicate misinformation one arguably exploits our conventions of truthfulness and trust in much the same way one does when intentionally asserting falsehoods. This is a further reason to treat at least this specific subset of informative presuppositions as lie apt.

Before elaborating, I should emphasize that my list of lie apt speech acts may well be incomplete. And, it may be that we can further subdivide the identified categories in order to achieve a more fine grained (and perhaps more accurate) distinction between lying and misleading. Ultimately my interest here is not the precise extension of ‘lie’. Rather, I am primarily concerned with how ‘lie’ gets its meaning. The remarks in this and the adjacent sections should be seen as a proof of concept. The core idea is that the word ‘lie’ has powerful lexical effects, and these lexical effects allow it to perform an important function in the policing of speech. In light of this, independent considerations can be given in favor of applying the label ‘lie’ to different forms of dishonest communication. And these considerations rationalize our convention of labeling certain forms of dishonest communication ‘lies’.<sup>22</sup> Our practice of labeling certain speech acts ‘lies’ can make sense without there being any deep unifying property possessed by all lie apt speech acts.

## 6 Why does ‘Lie’ Mean Lie?

In the previous section I argued that if we were able to choose an extension for the word ‘lie’ whilst keeping its lexical effects fixed it would make good sense to choose exactly the extension it seems to have. But, it might be thought, this does little to explain why the term ‘lie’ has the extension it does. After all, it is not like we, as a linguistic community, get to choose the extensions or intensions of our terms on the basis of their lexical effects. The extensions surely come first. The reason the word ‘lie’ is associated with feelings of blame and disapproval is that the word ‘lie’ picks out acts that are typically worthy of blame and disapproval.

I believe this is an over simplification. In the previous section we identified a clear function that the word ‘lie’ is able to play because of its lexical effects. In general, it is reasonable to assume that if there is a clear need for a term to perform a particular function, then the community will start employing a term to perform that function.<sup>23</sup> It would be easy for a linguistic community to develop a term with the lexical effects of ‘lie’. Here is how: First, introduce a term to pick out communicative acts that are typically deceptive and misleading. Second, use this term in accusations of communicative wrongdoing. Such a term will inevitably come to be associated with betrayal, deception, and manipulation. It will inevitably evoke feelings of disapproval, blame and resentment. Hey presto, the conceptual need has been met.

Building on this first point: although a term’s extension typically plays a

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<sup>22</sup>I don’t claim that the convention we have ended up with is perfect, or even among the best conventions we could have ended up with. I merely claim that the convention makes good sense in general given our interests as communicators.

<sup>23</sup>There are important exceptions to this. As Fricker (2007) points out there are many cases in which there is a conceptual need among marginalized members of the community which is not met. However, I think it is still reasonable to assume that if there is a conceptual need for the community as a whole, or for dominant members of the community, then these needs will typically be met.

role in determining its lexical effects, it is not the case that the *current* lexical effects of a term will be determined only by its *current* extension or intension. Meanings shift over time. The extension or intension of a term might change whilst leaving many of the lexical effects in place. After all, a terms lexical effects are tied both to its history of use (the extensions it has had in the past), and also the social and historical setting in which it has been used. For example, certain racial slurs plausibly have their lexical effects because of the way in which they were employed in historically racist practices. Likewise, it is plausible that the lexical effects of ‘lie’ are determined in part by the role ‘lie’ plays in the normative appraisal of speech: we use ‘lie’ primarily in accusations of wrongdoing.

This opens up the following possibility: we naturally developed a term of appraisal for certain deceptive communicative acts (perhaps *deliberately false assertions*) which came to be employed in accusations of communicative wrongdoing. This would be, to borrow from [Craig \(1990\)](#), a sort of ‘proto-lie’ concept. This concept would naturally come to be associated with deception and betrayal, and it would start to evoke emotions of blame, resentment, and distrust. Over time, in response to the needs of the linguistic community, the meaning would inevitably shift in order to better perform the function of our current ‘lie’ concept. That is, we would find it natural to start applying the term to a wider range of dishonest communicative acts. But we would not apply it across the board. After all, it is in our interest to preserve a means of low risk deception. Alternatively, we could have started with a proto-lie concept that applied across the board to all dishonest communicative acts. In this case there would be pressure in the other direction: we would naturally arrive at something like our current ‘lie’ concept by restricting the extension of our proto-lie concept. Either way, it is easy to see how the pressures discussed in section 5 could have led to the development of our current ‘lie’ concept.

So, although it is correct that a term’s lexical effects are determined in part by its extension, there is a clear sense in which a terms lexical effects can play a role in determining changes in its extension. And these changes will often be responsive to the needs of the linguistic community. There is, thus, a sense in which linguistic communities are able to make precisely the sort of choice we imagined in section 5. That is, there is a sense in which linguistic communities are able to choose the meanings of their terms in light of the terms’ lexical effects. This, I suggest, explains why the lying/misleading distinction lays where it does. The lying/misleading distinction does not carve the world at an important natural or normative joint. However, it is responsive to human needs: the needs of ethically imperfect inquirers and communicators.

## 7 Conclusion

In this paper I have presented a new account of the lying/misleading distinction. I have not suggested any changes to the extension of ‘lie’ beyond those suggested by [Viebahn \(2017, 2020, 2021\)](#). However, I have provided a new account of why

the word ‘lie’ has the extension it does: the word ‘lie’ has powerful lexical effects. These lexical effects allow it to play an important role in the policing of speech. The extension of ‘lie’ reflects this role.

There are two natural responses to my proposal. The first and most obvious way of responding will be by means of counterexample. I have agreed with [Viebahn \(2017, 2020, 2021\)](#) regarding the extension of ‘lie’. But it may be that I am mistaken in doing so. It may be that there are other means of communication that are lie apt. And it may be that the categories I have discussed (assertion, informative presupposition, substitutional implicature, and additive implicature) can be further sub-divided revealing a more fine grained lying/misleading distinction. As I noted earlier, this possibility does not worry me too much. My primary interest is not with the precise extension of ‘lie’ but rather with how ‘lie’ gets its meaning. I have not argued that Viebahn’s suggested extension for ‘lie’ is the best possible extension. I have merely argued that it makes good sense. It may be that there are superior competitors. And it may be that the actual extension of ‘lie’ is among these superior competitors. The crucial point is that, whatever the extension of ‘lie’, there needn’t be any deep connection between the lie apt speech acts. The extension of ‘lie’ is fixed by our practice of labeling certain communicative actions ‘lies’. And this convention will likely be responsive to the varying needs of human linguistic communities.

Secondly it might be objected that I have not really given an account of the lying/misleading distinction. Rather, I have given an account of our use of the word ‘lie’. When we theorize about the lying/misleading distinction we are doing metaphysics. But what I have been doing is metasemantics. In response, *lying* is a social kind. The nature of lying is determined by our practice of counting certain communicative actions as lies. Consider an analogy with marriage. The nature of marriage is determined in large part by our practices of counting certain unions as marriages. It is clear that we are better off counting certain unions as marriages than others. We can make social progress by improving the nature of marriage, and this can be achieved by changing our classificatory practices. These changes will be driven in part by the effects that the label ‘married’ has: it carries associations of stability and family, and in some audiences it garners a special form of respect. Similarly, what it is to lie is determined in large part by our practice of counting certain speech acts as ‘lies’. And the lexical effects of the label ‘lie’ count in favor of classifying certain communicative actions but not others as lies. So, in arguing that the word ‘lie’ has a particular extension and intension, I have argued for a claim about the nature of lying.

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