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Commentary on Santibanez's "Strategically wrong: bias and argumentation"

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1. Introduction

There is much going on in Santibanez's very interesting and densely packed paper. In the short time that I have, I cannot comment on all of it. I simply want to focus on one important claim that he makes, viz., that deception in the form of lying involving manipulation of others to achieve self-interested ends can do damage to the recipient of the lie. On the assumption that at least in some cases, this damage can be ongoing and very serious (as in the case of lying in political contexts), it would seem to follow that manipulative lying is morally objectionable in those cases. However, Santibanez does not take the further step of saying this explicitly. At the same time, the language used by the author throughout the paper suggests that he may assent to the claim that such lies are morally wrong: for example, even when discussing more benign forms of deception such as deceiving oneself into believing that they are a very good professor or a soccer player's deceiving their opponents about their intent, there is reference to 'damage' and to the 'victim' of the deception. The concepts of damage and victimization tend to be seen in a negative moral light.

While using the language of 'victimization' and 'damage' Santibanez also grants that there are cases where self-deception and deceiving others are advantageous, and that animals deceiving predators, for example, leads to reproductive fitness, so that deception can be evolutionarily adaptive. Moreover, he seems to find the modular model of the mind countenanced by Kurzban (2012) to have some prima facie plausibility. However, he also appears to reject what the model entails, viz., that there is no real 'you,' so that all that I am or you are is a set of modules with distinct beliefs, where beliefs from one module can contradict beliefs from another module. A further implication of the model that Santibanez appears to reject but that Kurzban (2012) accepts is that agents use whatever module is most advantageous in the context and that this is simply the way we are set up by nature via the mechanism of evolution. It is worth mentioning that the idea of the modular mind is not a new one: it has been around for awhile. For example, Fodor (1983) advances the modularity thesis as does Stalnaker (1984) in an attempt to resolve the problem of deduction for doxastic logics. Stalnaker talks about distinct 'acceptance states' where a proposition in one acceptance state may contradict a proposition in another acceptance state. And of course, there is the tripartite model of the psyche advanced by Freud (1977) where one may believe one thing consciously (X is good) and believe the opposite subconsciously (X is bad), known as 'splitting' (Rubens 1996). Moreover, the tripartite theory of the psyche adopted by Freud has its origins in Plato's *Republic*.

In the remainder of this commentary, I shall argue that the modular model of the mind rings true, and that if it is true, then there is no overriding agent except perhaps in a narrative

sense. If there is no overriding agent, then there is no-one of whom it can be said that deception is wrong in any sense, including a moral one. Moreover, exactly who is doing the deceiving if there is no unified agent? And who is being deceived? This is not to suggest that deception is always acceptable and that social control of deception is inappropriate, since utilitarian considerations do not rely on responsibility or personal identity. Further, I shall argue that even manipulative lying that causes ongoing damage to its victims is not always a bad thing depending on who the victim is. Perhaps Santibanez would not disagree with this claim, although I believe that it is worth discussing.

2. Modularity, deception and responsibility

There is no decisive argument for or against the modularity of the mind hypothesis, although there is some empirical evidence out there to suggest that it is true. Mind you, there has been great resistance to the modularity hypothesis over the millennia since Plato proposed it in the *Republic* 2,300 years ago. For example, while Hume proposed a skeptical limiting case of modularity, Kant replied with the concept of the transcendental unity of apperception. Although skeptical about a unified ego in his early writings, Husserl later took the position that experience presupposes an ego, which bears affinities to Kant's notion of the unity of apperception (Miller 1986). One piece of evidence to suggest the truth of modularity is a recent study conducted by Athanasopoulos et al. (2015) where they found that people who are fluent in both German and English conceptualize the motion of objects differently in German than they do in English. Thus, the authors claim that such persons are of "two minds" (Athanasopoulos et al. 2015, p. 518). Along similar lines, Peretz and Cotheart (2003) provide evidence from neuroimaging that modularity is involved in music processing rather than there being one central processing faculty.

More generally, Harter et al. (1997) cite evidence from developmental studies that purportedly show that "during adolescence there is a proliferation of selves that vary as a function of social context" (Harter et al. 1997, 837). Thus, an adolescent will behave in opposing and contradictory ways across various social circles so that a young person may behave a certain way with their parents, another way with teachers and yet another way with their peers (Harter et al. 1997). The authors go on to argue that as an individual matures, they come to accept this diversity of selves as something good (Harter et al. 1997). Anecdotally and parenthetically, I notice of myself that I behave differently with bar buddies, cigar buddies, members of my bowling team, with students, with colleagues, with close friends, with relatives, etc. so that there is no obvious 'I' across all of these social situations that is completely invariant, except upon abstract reflective narration. The importance of variation in identity as a function of social context is also observed by Ellemers et al. (2002). As the person matures, they tend to form a coherent and quasi-consistent picture of these disparate selves through self-narrative (Harter et al. 1997), although this unification strategy is thwarted in the case of those with personality disorders such as bipolar personality (Jorgensen 2006). This story-telling later in life gives rise to the concept of the so-called narrative self as discussed by MacIntyre (1981), by McAdams (2001) as well as in hermeneutic circles. This narrative self is more of an abstraction, a non-fictional coherent story as opposed to a real 'self' with any causal powers.

And so, there is some reason to believe that modularity is true. Then it follows that outside of the narrative self, there may well be no 'I' that deceives nor that is deceived. In such a case, how is deception even possible? How can I deceive myself if there is no 'self' that exists outside of a narrative context, and how can I deceive you if there is no 'you' to deceive?

Moreover, even if the concepts of deception and self-deception somehow apply, there is no 'I' that bears responsibility, moral or otherwise, for any damage done to the 'victim' of a lie, nor is it clear that there is any victim at all to whom the responsibility for the lie transfers. The modular model of the mind employed by Kurzban (2012) and the picture that deception is simply the application of the most advantageous model in that context becomes more compelling in light of the empirical evidence for modularity.

3. Manipulative lying as an optimal strategy in dire situations

As noted above, Santibanez cites manipulative lying as being a potentially undesirable type of lying given that the recipients can suffer ongoing harm. I do not disagree with this claim, putting aside the issue of modularity, although what I disagree with is Santibanez's further claim that the aim of argumentation theory with respect to manipulative lying "would be to have the liar justify himself and, for this reason, make a fool of himself." (Santibanez 2016, p. 23) There will be many cases, countless cases, when the manipulative liar can justify their actions without making a fool of themselves. The types of cases I have in mind are situations where manipulative lying saves the lives of hundreds, thousands, millions. These types of lies are the true 'noble' lies as opposed to the arguably bogus noble lie outlined in the *Republic*! For example, citizens of Amsterdam hid thousands of Jewish children during World War II, which of course involved deceit, lies and manipulation of the occupying Germans. The brave people who hid these children at great personal risk would not make fools of themselves if they were asked to justify their covert actions. This is clearly a case where honesty is not the best policy! Similar observations apply to the lies and deceit used by the resistance movements in Europe in the 1940s to overcome the Nazi occupation. What about undercover officers breaking up the 1 percenter motorcycle gangs involved in drug dealing and murder? These officers use deceit, lies and manipulation to infiltrate these gangs and yet, it would be hard to imagine them making fools of themselves in justifying their subterfuge, even though the people arrested are damaged.

4. Conclusion

In conclusion, I have argued that there is reason to believe that the modularity thesis, or some version of it, is true. This is based on empirical studies. Then the whole notion of self-deceit, deceit of others and lying has to be either dropped or re-worked to cohere with the modularity thesis. This is not to condone deceit and lying (if it makes sense to talk of these) as these actions can be seen as morally wrong from a purely utilitarian perspective. The unit of assessment in utilitarian ethics is the social aggregate and not unified individuals so that lying could be justifiably curtailed for the good of the aggregate. Finally, putting aside the modularity thesis, I agree with the author's suggestion that lying involving manipulation for self-interested ends is often undesirable, although there are also many cases when lying is a good thing, as in the situation of saving lives.

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