

**Comments on John Skalko's "Catholics and Hugo Grotius' Definition of Lying: A Critique"**

John Skalko argues in his paper against the "right to know" definition of lying. A rough-and-ready, common-sense definition of lying is asserting what one believes false with the intent to deceive, but some people add the following proviso: the person deceived must have a right to know the truth. As John Skalko points out, the motivation behind this addition is to preserve the Catholic position of an absolute prohibition on lying while allowing for false assertion in dire situations, such as the proverbial Nazis at the door. John argues against this definition of lying in three stages, while professing to set aside the question of whether lying is immoral in all circumstances. Nevertheless, it seems clear that he favors an absolute prohibition. On both of these points, I am in full agreement with him, and I found his paper helpful.

In the first and longest stage of his critique of the right to know definition, John points out ten rather odd consequences for this definition. For example, strangers whom one encounters on the street, or at the grocery store, or in a doctor's office, have no right to know the details of one's personal life. Hence making false assertions about one's past to strangers would not be lying, and lying routinely to strangers about one's past would not be pathological lying. On the other hand—and I draw here on a point John makes in a footnote—if other people did have a right to know the truth about my personal life, I would be obligated to tell them every detail about my life that they asked for. Either way, the consequences of the right to know definition are certainly absurd.

If the words "right to know the truth" be taken literally as they stand, John is surely right in arguing that many absurd consequences follow. However, those who favor the right to know

definition could interpret it as meaning only that people have a *prima facie* right not to be deceived. Such a right is based on the human need, and hence right, to find other people trustworthy. One cannot flourish as a human being unless one can trust other people at their word, nor can any community flourish unless it is founded on mutual trust. By its nature false assertion betrays trust, in addition to whatever other harm it might cause in particular situations. Many, but by no means all of the strange consequences identified by John would go away if one understands “the right to know” as the right not to be told untruths, that is, as the right to find others trustworthy. A fully adequate critique of the right to know definition would have to explicitly address this understanding of it.

But if the right to know definition, so understood, is to accomplish what its proponents want it to accomplish, it must be the case either that someone can lose his right to find others trustworthy, or that in some circumstances asserting a falsehood with the intent to deceive does not render one untrustworthy. But false assertion will be morally wrong whether it violates someone else’s rights or merely damages one’s own character. Therefore, asserting a falsehood will always be immoral unless false assertion does not always render one untrustworthy. But here I can at present see nothing but a stale-mate. When the Nazis are at one’s door and Jews are in one’s basement, false assertion certainly renders one untrustworthy to the Nazis *per se*, but arguably it renders one more trustworthy to the Jews *per accidens*. As a Thomist, I believe the proper conclusion is that lying in such circumstances is a slight venial sin, as something evil by its nature yet surrounded by the most extenuating of circumstances. But I do not think that people not already well disposed will be convinced by this consideration.

In the second stage of his critique, John Skalko points out that Thomists have extra reasons for rejecting the right to know definition, since it is inconsistent with Aquinas’ own

moral theory. Most importantly, John points out that Aquinas' own argument against lying implies that all false assertion is immoral. Here I only wish to add that Aquinas clearly makes a perverted faculty argument against false assertion. The point is not that language is created or instituted by human beings for signifying what is in one's mind, but that language by its very nature has as its purpose the manifestation of what *is* by responsible agents of truth. Each particular language may be artificial, but language as such is natural to human beings, created and instituted by the author of nature. Since false assertion counteracts the intrinsic *telos* of the human linguistic power, it perverts a natural faculty and is thus immoral. It is quite clear that this is Thomas' argument, and that, if cogent, it rules out all false assertion. Hence, as John points out, there would be no reason not to stick with the common-sense definition of lying and drop the "right to know" rider.

In the final stage of his critique, John points out that the right to know definition turns all lies into what are called mischievous or pernicious lies, which Thomas claims are mortal sins. Hence, John argues, the right to know definition means that there are no such things as venial lies. All lies are mortal. However, it seems to me that proponents of the right to know definition could simply say that violations of someone's right to know in insignificant matters are venial sins, and thus that not all mischievous lies are mortal sins.

As I stated before, in his paper John abstracts from the question of whether lying is always immoral, and simply addresses its definition. Out of a sense of philosophical piety, however, I am compelled to say a few words in defense of the absolute duty to assert the truth.

Even apart from revelation, reason demands that humans have a sense of the sacred, and that certain things be held sacred. Without being exhaustive, I would include family-bonds, sex, and the truth. What is sacred is removed from the realm of the common and everyday in which,

to a certain extent, pragmatic considerations legitimately hold sway. The sacred cannot be treated however one thinks best in the moment. Certain absolute boundaries are imposed upon one's behavior towards what is sacred, and only so long as those boundaries are respected does one continue to have a sense of its sacredness.

In order to flourish as rational animals—that is, as what Msgr. Robert Sokolowski calls agents of truth—human beings must seek the truth and act only in its light. But the truth can be elusive, above all because human beings carry within themselves a constant tendency towards denial and obfuscation. We find the truth hard, for it makes many demands on us, and the best of us are constantly tempted to overlook and obscure the truth, often sub-consciously. Only a steadfast resolve to seek the truth always and to stand in its light enables a human being to grow and flourish. Our relationship to the truth should be compared to marriage: absolute fidelity to the truth is a necessary condition for virtue. Without such an over-arching relationship to the truth, many aspects of a person's life will continue always in mediocrity or vice.

Lying, that is, false assertion with the intent to deceive, is a direct violation of the truth. It necessarily and by its very nature diminishes one's sense of its sacredness. As such it necessarily causes a deterioration in one's character. Special circumstances can minimize the deterioration, thus rendering a lie a venial sin. But every lie remains immoral nonetheless. On the other hand, when the Nazis are at the door, assertions that are true but distract them or throw them off the track—such as “there are no Jewish dogs in my house,” presuming only humans and no canines are there—do not destroy one's sense of the sacredness of the truth. If the Nazis themselves came to abandon their denial and stand in the truth, they could see that Jews are human persons with dignity, and not mere “dogs.” Furthermore, the fact that one goes to the trouble of finding

such true but off-topic statements, rather than simply lying, shows that one holds the truth too sacred to contradict it.

Many will still appeal to extreme circumstances, the trouble and danger of trying to find roundabout but true expressions, and all of the dire consequences presumed to follow from not lying at such times. But one can trust that if one remains faithful to the truth, the Truth, in His providence, will take care of one in the end. I am not the first to point to the true story *The Hiding Place*, by Corrie Ten Boom. Corrie's sister Nollie, who was hiding Jews, believed that God commanded us never to lie under any circumstances. She harbored in her house a blond, blue-eyed Jew named Annalies. As Tollefsen and Pruss note,<sup>1</sup> Nollie was asked directly by the police whether Annalies was a Jew. Nollie responded simply that she was. They were both taken to prison, and Annalies was prepared for deportation to an extermination camp. But Nollie expressed her trust that God would not abandon them, since she had followed His commandment. Annalies was rescued and Nollie herself was released inexplicably from prison shortly thereafter. But for her part Corrie wondered: "Love. How did one show it? How could God Himself show truth and love at the same time in a world like this? By dying. The answer stood out for me sharper and chillier than it ever had before that night: the shape of a Cross etched on the history of the world."<sup>2</sup>

I will end my comments here by saying that I appreciated John Skalko's paper and learned much from it. I agree with his conclusions, and I thank him for his work.

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<sup>1</sup> Christopher Tollefsen and Alexander Pruss, "The Case against False Assertions," *First Things*, <http://www.firstthings.com/web-exclusives/2011/09/the-case-against-false-assertions>, accessed October 1<sup>st</sup>, 2015.

<sup>2</sup> Corrie Ten Boom, & Elizabeth & John Sherrill, *The Hiding Place* (Peabody, Mass.: Hendrickson, 2009), 103. See p. 124–133 & 100–103.