



Lying versus misleading, with language and pictures: the adverbial account

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Abstract We intuitively make a distinction between *lying* and *misleading*. On the explanation of this phenomenon favored here—the *adverbial* account—the distinction tracks whether the content and its truth-committing force are literally conveyed. On an alternative *commitment* account, the difference between lying and misleading is predicated instead on the strength of assertoric commitment. One lies when one presents with full assertoric commitment what one believes to be false; one merely misleads when one presents it without full assertoric commitment, by merely hinting or otherwise implying it. Now, as predicted by the well-supported assumption that we can also assert with pictures, the lying/misleading distinction appears to intuitively show up there too. Here I'll explain how the debate confronting the two accounts plays out both in general and in that case, aiming to provide support for the adverbial account.

Keywords Lying · Assertion · Implicature · Semantics/pragmatics · Pictures

We intuitively make a distinction between *lying* and *misleading*. If, to answer Rebecca's question 'Are you going to Paul's party?' (hoping to thereby discourage her from attending), Dennis replies 'No, I'm not going to Paul's party.', when he intends to go, and ends up going, Dennis is lying to her. If he had answered instead in the same circumstances 'I have to work.', implying that he doesn't plan to go, then he is misleading her but not lying (Stokke, 2016, 85).

On the account that I favor—the *adverbial* account, as I'll call it, a specific *saying* account—the distinction tracks whether content and truth-committing force

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are intuitively (as fully as language allows), literally or explicitly conveyed: not just thus with *what* is done, but with *how* it is done also, hence ‘adverbial’; an explicit definition is offered in Sect. 1. Several writers (Borg, 2022; Michaelson, 2016; Saul, 2012; Stokke, 2016) have pointed out that on *saying* explanations the intuitive distinction provides evidence on the theoretical notion of *what is said* and the theoretical distinction between semantics and pragmatics. On an alternative (assertoric) *commitment* account (Meibauer, 2014; Viebahn, 2017, 2020, 2021; Reins and Wiegmann, 2021; Wiegmann et al., forthcoming), the difference is predicated instead on the strength of assertoric commitment. One lies when one presents with full assertoric commitment what one believes to be false; one merely misleads when one presents it without full assertoric commitment, by hinting or otherwise implying it.

Now, it is a well-supported assumption that we can also assert with pictures (Eaton, 1980; Greenberg, 2018; Kjørup, 1974; Korsmeyer, 1985; Nöth, 1997).¹ Viebahn (2019) argues that the lying vs. misleading distinction is intuitively available there, even if perhaps less sharply. He uses this claim to defend the commitment account, on the grounds that it deals better with the distinction in that medium. Here I’ll critically examine the debate confronting the two accounts. Section 1 articulates the adverbial account, drawing on Grice’s notion of *what is said*. It is flawed for well-known reasons when it comes to its main goal—to distinguish between semantics and pragmatics; but it is closer to what we need to capture the intuitive notion of lying, and thus it may after all further the methodological goals that Grice expected from it. Section 2 presents the alternative commitment account; it summarizes my critical take on it (García-Carpintero, 2021a), and it discusses recent empirical work on the issue, arguing that it is consistent with the adverbial view. I’ll argue that by distinguishing along Gricean lines *assertoric commitment* and *explicitness* as separate ingredients in the account of lying, unlike other *saying* accounts the adverbial view improves on commitment accounts.

I’ll then provide additional support for it and its methodological implications by critically engaging with Viebahn’s (2019) arguments on lying with pictures (Sect. 3). I’ll argue for the conditional claim that, to the extent that there is a lying vs. misleading distinction that applies to pictures, the adverbial account also captures it better than alternatives. The view I promote thus makes the issues we’ll be discussing relatively independent of the medium, linguistic, or pictorial. I’ll emphasize the (striking, to my mind) structural and methodological parallels.

¹ “Assertions can be made in any number of ways: by producing a declarative sentence while delivering a lecture, by raising a flag, by honking a horn, by wearing a rose, by extending one’s arm through a car window.” (Walton, 1983, 79; cp. also 1990, 79, 82) “One can make an assertion with semaphores, with smoke-signals, with winks, with gestures—and with works of art.” (Wolterstorff, 1980, 201).

1 Lying versus misleading: the adverbial account

Let's start with further examples of the intuitive distinction between lying and misleading. Williams (2002, 96) illustrates it with an utterance of 'Someone has been opening your mail', when it is the speaker who has been doing it. Another traditional example is Athanasius' reply to his enemies' query about his whereabouts, 'He's not far away' (Williams, 2002, 102). In both, speakers convey conversational implicatures (Grice, 1975) believed to be false, *someone but not me is opening your mail*, *Athanasius is nearby but not here*, while what they literally say is true. They intuitively aim to mislead their audiences by steering them to form wrong beliefs, without strictly speaking lying to them. Lay people deploy much ingenuity to perform this trick; politicians intent on deceit are a notorious case in point. Both philosophers and lay people take it to be axiologically significant (Pepp, 2019; Shiffrin, 2021). Language being multiply polysemous (Ludlow, 2014), we also use 'lie' in a broader sense on which any potential deception, even non-intended, counts as such (Saul, 2012, 1). Nonetheless, the extent of the phenomenon and its intentional character testifies to the reality of the distinction; and there is now significant empirical evidence that people are indeed sensitive to it, see below.²

I'll present now the Grice-inspired *adverbial* version of *saying* accounts that I prefer (García-Carpintero, 2021a).³ I follow Williamson (1996/2000) in assuming that we have a pre-theoretical grasp of a specific kind of speech act that Williamson calls *flat-out assertion*, which he takes to be what we do by default when uttering sentences in the declarative mood (Williamson 1996/2000, 258).⁴ Proposals in the literature provide different accounts of the nature of flat-out assertion. Expressivist views invoke psychological states of their agents such as Gricean reflexive intentions (Bach and Harnish, 1979). Brandom (1983) and Geurts (2019) develop social normative accounts in terms of *commitments* that the agent incurs, to justify the assertion if challenged, retract it if poorly supported, etc. Williamson offers a lucid version of an Austinian social constitutive rules approach, on which a flat-out assertion with content *p* is by its very nature subject to the rule KR below. Alternative rules have been advanced, including the audience-involving norm I'll assume here KPR, cf. García-Carpintero (2004), Hinchman (2020); on this proposal, flat-out assertions are acts of *testifying*:⁵

² Cf. Carson (2006, 285), Fallis (2009, 32), Saul (2012, vii), Viebahn et al. (2021, 181), Wiegmann et al. (forthcoming, Sect. 2) on the intuitive character of the distinction. Viebahn (2019, 251) agrees: "definitions of lying are meant to capture how ordinary language users employ the term 'lying'". I argue in Sect. 2 that his proposal is bound to conflict with the intuitive classification of intuitively prototypical examples and hence amounts to changing the topic.

³ Choosing among *saying* accounts demands extended abductive considerations beyond the scope of this paper. However, an adequate defense of its merits over the commitment account requires us to go into some details. I will run my arguments with the version that I think offers the best chance; their correctness would offer some support for it, as emphasized in Sect. 2.

⁴ Flat-out assertion corresponds to some extent to Stainton's (2016) "full on stating"; see fn. 5 for an important difference.

⁵ The identification of flat-out assertion with testifying is meant as that of water with H₂O on the Burge-Kripke-Putnam view of kinds with real essences. Putnam held that *being H₂O* defines the essence of the kind designated by 'water' in its "predominant sense" (Putnam, 1975, 239); he allows that 'water' has

- (KR): One must ((assert p) only if one knows p)
 (KPR): One must ((assert p) only if one's audience gets to be thereby in a position to know p).

We do things other than testifying by literally using declarative sentences: we make guesses, suppositions, we put forward propositions for the consideration of our audiences, we present fictional scenarios for the imagination, and so on. The aforementioned views characterize those other practices in their proprietary terms. Moreover, the views allow that the acts they characterize (flat-out assertion, in particular) can be made indirectly, as other speech acts can. An utterance of 'Thanks for not browsing our magazines' found in the bus station kiosk is not the expression of gratitude it literally conveys, but a request. Grice's (1975) *conversational implicatures* are a particular case of indirect speech act—one in which an assertoric act is indirectly made by means of a declarative sentence.⁶ That act can be one of testifying—one constitutively beholden to KPR, on my assumptions here.

Thus, consider Grice's (1975, 52) famous recommendation-letter example, and, for later use, let's put it in a specific context. You are contemplating hiring a former student of mine, X, for your department; you tell me about the circumstances and ask me for my opinion on X's philosophical capacities. I answer as Grice specifies: "X's command of English is excellent, and his attendance at tutorials has been regular. Yours, etc." Let's assume that KPR offers the right account of flat-out assertions—but the point could equally well be grounded on other views. It intuitively seems that the letter-writer has made one *vis-à-vis* the implied content—one beholden to the KPR rule. My performance would be wrong if I am not putting you in a position to know that X is no good at philosophy and not a good hire for your department, because he is in fact a first-rate philosopher for his career stage whom I intend my own department to hire at the next opportunity. If you find out later, you may angrily reprove me: "Why did you put it to us that X is no good at philosophy? You knew perfectly well that X is a first-rate philosopher, whom you yourself have hired!" The same applies to the false implicatures conveyed in the Athanasius and Williams examples above; on the sort of accounts I have discussed, they can be taken as (faulty, questionable) flat-out assertions.

By the same token, in the extended sense mentioned above my angry audience may well describe the implicature as a *lie*. In the stricter sense that the lying *vs.* misleading intuition manifests, however, it is a paradigmatic case of misleading without lying. This would be theoretically accounted for if (as *saying* accounts have it) lying in the strict sense requires not just to flat-out assert what one believes to be false—which on the outlined accounts may also obtain when the speaker misleads without lying—but to do it *explicitly*, by means of a sentence that conveys the

Footnote 5 continued

another sense defined by superficial traits, cf. Tobia et al. (2020) for corroboration. Similarly, 'flat-out assertion' may be understood to pick out a superficial kind defined by stereotypical features, including the literal use of a declarative sentence; I take it that, unlike me, Stainton (2018) takes this view on his "full on stating".

⁶ Cf. Bach and Harnish (1979, 62–65), Vanderveken (1991, 376), Bianchi (2013, 121–122), Davis (2019, Sect. 1) and Green (2017, 1598–1599).

content believed to be false and its force as close to the intuitively literal as it is feasible.⁷ Now, what is literally, explicitly conveyed by an utterance has good claims to count as *the*, or *a* semantic content of it.⁸

On Grice's (1989) view, the semantic content of declarative sentences in a privileged sense is *what is said* by their utterances, and he offered two criteria that jointly help identifying it, *formality* and *dictiveness*. The first has to do with the extent that "the items or situations signified are picked out as such by their falling under the conventional meaning of the signifying expression rather than by some more informal or indirect relationship to the signifying expression" (Grice, 1989, 359). He admits that the second criterion is less clear-cut (Grice, 1989, 363), but, given his examples and indications, I take it that it corresponds to the *degree or strength of speakers' assertoric commitment* relative to the given content; as he puts it, "a speaker's alignment with an idea or thesis" (Grice, 1989, 367). Speakers can explicitly indicate that their epistemic standing with respect to a proposition is short of knowledge (and hence their assertoric commitment weaker) by embedding the proposition after 'I guess—think—conjecture—imagine that ...', or hedging appositive phrases (Benton and van Elswyk, 2020); it can also be contextually conveyed. Grice also assumes that assertoric commitment is presented as stronger with respect to *at issue* ("ground-floor", as he puts it, 1989, 362) content than backgrounded (conventionally implicated or presupposed) content.⁹ Standardly (even if defeasibly) speakers "stick out their necks" more with respect to what is at issue. Backgrounded, conventionally implicated content is assumed to be less directly relevant to addressing the issues under discussion. Presuppositions are taken to be already established material, shared knowledge for whose epistemic status the speaker doesn't take individual responsibility.¹⁰ Grice takes the two criteria to be independent of each other (cf. Carston, 2002, 113–114). The adverbial account of lying helps itself to (versions of) them.

As an account of *what is said*—semantic content—Grice's view is inadequate, however. Semantic theories fundamentally aim to articulate the meaning-properties of natural languages (what words literally mean), accounting in so doing, among other things, for their productivity and systematicity. It is wrong to rely for these

⁷ I put aside the condition that the speaker intends to deceive her audience, which has been the focus of the debate on so-called *bald-faced lies* (cf. García-Carpintero, 2018 for my own take and references). I will however assume that it is fulfilled in all cases I rely on, as it is in prototypical cases.

⁸ Cf. García-Carpintero (2021b) for a discussion of the suggested potential plurality of notions of semantic content.

⁹ Cf. Moeschler (2013) for a proposal to grade the strength of assertoric commitment that seems closer to what Grice appears to have in mind. The discussion in Sect. 2 shows that they only capture what is *typically* or *normally* conveyed by the choice of communicative device.

¹⁰ On my view, in both cases the literally indicated assertoric commitment may still be to knowing the relevant proposition, as in an assertion. Besides, even if the commitment is of a lesser degree, this is just how it is standardly conveyed by the relevant constructions, but it is defeasible. In some *accommodation* cases the speaker's primary goal is to inform: 'The new boss is attractive—yes, her husband thinks so too.' García-Carpintero (2020) offers a *repair* account of accommodation, on which here the speaker indirectly makes an act of testifying that the new boss is married by directly, literally expressing an act of *presupposing*—on the view advanced there, an *ancillary* speech act, with its own defining constitutive norms.

purposes on a notion that requires Gricean dictiveness (García-Carpintero, 2021b). The literal content of utterances used ironically is not said in Grice's sense. When 'He is a good friend' is uttered ironically to mean that the referent is disloyal, for Grice the speaker only "makes as if to say" that the referent is a good friend, there being zero assertoric commitment to it; but this is what a semantic theory should ascribe to the utterance.¹¹ It is doubtful that the literal content that semantic theories should ascribe to malapropisms ('The vote was anonymous', meaning that the vote was unanimous, Bach and Harnish, 1979, 33) is said in Grice's sense.¹² The backgrounded contents of conventional implicatures are for him not said, but a semantic theory should countenance them; the same applies to the meanings literally conveyed by presupposition triggers. For one final example, semantic theories ascribe meaning to moods and other conventional force indicators that don't contribute to Gricean sayings. Following Bach (1994), I think we should resort instead to an elaboration of the Austinian notion of *locutionary act* (cf. García-Carpintero, 2021b; Recanati, 2013), ultimately relying on what semantic theories have to offer to attain their proprietary explanatory goals for a precise specification of semantic content.¹³

Stokke (2017) convincingly argues that one can lie with conventional implicatures—by uttering 'Lance Armstrong, an Arkansan, won the Tour de France' in a context in which the audience wants to be told where Armstrong was born, and the speaker knows that he is Texan. Backing it up with empirical data, Viebahn (2019) and Viebahn et al. (2021) argue the same about lexically triggered presuppositions. For instance, one lies according to Viebahn (and his experimental subjects) by uttering 'Did you know that John had a Mercedes?' in a context in which it is at issue what brand John's car is, and the speaker knows that it is not a Mercedes.

Both lying with conventional implicatures and lying with presuppositions are possible on the adverbial account. Like saying on Grice's view, lying on this account requires (i) to present a content literally, explicitly, and (ii) to present it with full assertoric commitment. I'll assume that this comes to present a content *as known*, so that the speaker can be challenged as follows: 'Do you/we know *p*?', 'How do you/we know *p*?', 'You/we cannot know *p*!'¹⁴ On the locutionary notion of saying, this can obtain in flat-out asserting and also with both kinds of non-at-issue

¹¹ The same applies to all *substitutive* implicatures in which—in contrast to *additive* implicatures like Grice's (1975) recommendation letter or petrol station cases—there is no assertoric commitment to the literal content, cf. Meibauer (2009), Vanderveken (1991, 375–376).

¹² Assertoric commitment is on my view liability to a norm, which requires intention. The doubt comes from the fact that the malaprop speaker does have the generic *de re* intention to convey what the sentence she uses literally means, and this may be deemed enough for her to be beholden to KPR relative to it, in spite of the absence of a specific *de dicto* intention to be answerable to it. In some formal contexts (contracts and so on) this is indeed so.

¹³ Although this is close to my own view, it would be inaccurate to make the point by claiming that it is only Gricean *formality* that an adequate account should rely on, because that would entail that semantics aspires to characterize *conventional* meanings, and this shouldn't be just taken for granted; theorists like Glanzberg (2018), Harris (2020), Pietroski (2018), or Yalcin (2014) would dispute it.

¹⁴ This is also how Viebahn (2021, 302) understand assertoric commitment.

content (García-Carpintero, 2020); it fails to obtain when one hedges with ‘I think’, ‘I guess’, and so on.¹⁵ This is thus the *adverbial account* of lying:

- (AL) A lies in communicating proposition p to B if and only if:
- (1) A assertorically commits to p
 - (2) A’s utterance says/makes explicit p
 - (3) A believes p to be false

Saul (2012), Stokke (2016), and Marsili (2021), among others, offer alternative *saying* accounts; I won’t go here into my reasons to prefer AL (García-Carpintero, 2018, 2020), but some come up below. On *saying* accounts, the lying vs. misleading intuitions provide data contributing to delineating the *semantic content* of utterances (Borg, 2022; Michaelson, 2016; Saul, 2012; Stokke, 2016). Given AL, intuitive data about cases of lying vs. misleading are evidence constraining theoretical views on the semantics vs. pragmatics divide, through this criterion: *a content that a speaker conveyed by uttering S while disbelieving it is not part of its semantic content if the speaker didn’t thereby lie to, but merely misled, her audience* (Michaelson, 2016, 482). I believe that data including this favor a moderate *contextualism*, in contrast with *minimalism* and other views (García-Carpintero, 2021b).¹⁶ Of course, such data are no more than purported evidence; theoretical proposals have considerable leeway, including rejecting some of the relevant intuitions, or explaining them away.

The adverbial account predicts intuitive conflicts in cases of contents involving what Grice called *generalized conversational implicatures* which, in contrast to *particularized* ones, are conveyed in most contexts, and thus appear close to what the words themselves mean—and in fact are taken as such by theorists who give prominence to convention in fixing semantic content, cp. Lepore and Stone (2015), Stojnić (2021). They involve conventionalized indirection as in ‘Could you pass the salt?’ which, although it requires calculation from speakers unfamiliar with them, is interpreted by most as automatically as prototypically literal discourse; the Athanasius and Williams examples above are illustrations.¹⁷

In an empirical investigation of these issues, Weissman and Terkourafi (2019) show that, indeed, ordinary speakers’ intuitions about the lying/misleading distinction in these cases are conflicting. It is unfortunate that in this, as in other

¹⁵ Presuppositions can be merely “accepted” without being known or believed, as Donnellan’s (2012 [1966], 14) well-known example illustrates: I think that a usurper is occupying the throne, but his minions take him to be the legitimate king; wanting to see him, I say to one of them, ‘Is the king in his counting house?’ Cf. García-Carpintero (2020) for discussion.

¹⁶ Borg (2022, Sect. 3) argues instead that data from the intuitive distinction supports her brand of minimalism, on assumptions that I reject in Sect. 2, see fn. 34. Del Pinal (2018) articulates a version of moderate contextualism that I like.

¹⁷ Cf. Morgan’s (1978) distinction between *language-conventions* and mere *conventions of usage*, and Bach and Harnish’s (1979) related notion of implicature *standardization*. Viebahn (2017) invokes cases of this kind in support of the commitment account; cf. García-Carpintero’s (2018, 207–208; 2021a) for critical discussion. Marsili (2021) provides interesting data about intuitions of lying and its absence with explicit performatives that I think AL together with the account of their standardization in García-Carpintero (2013) handles well, in fact along lines similar to Marsili’s similar account of lying.

studies discussed in Sect. 2, it was not made clear to subjects that it was lying vs. misleading that they were supposed to tell apart—potentially allowing them to classify the cases with the extended use of ‘lie’ in which it doesn’t contrast with ‘mislead’. It may not be easy to experimentally prevent this. I find it encouraging however that results in this work appear anyway to confirm speakers’ sensitivity to the distinction, and that results align well with the predictions of saying accounts (Weissman and Terkourafi, 2019, 238–242).¹⁸ For subjects were doubtful that most cases of generalized implicatures count as *lying*; and the authors offer good reasons to doubt that cases that their subjects tend to count as such (for instance, those depending on cardinals) in fact involve indirection.¹⁹ I’ll come back to empirical data at the end of Sect. 2. Be this as it may, our discussion should concentrate on particularized implicatures as in Stokke’s Paul’s party example or the recommendation letter case; they are the prototypical cases of misleading without lying that all parties should accept.

2 The commitment account and its predicaments

I’ll now present the alternative account of the lying/misleading distinction and my critical take on it. I have explicated the Gricean criterion of dictiveness in terms of assertoric strength, and we saw that in his characterization of this notion, Grice assumed that in presenting a content by using a declarative sentence in default contexts we indicate a stronger degree of assertoric commitment than by merely hinting or implying it. As he puts it, dictiveness is an aspect of signification “connected with what the signifying expression (or its user) says as distinct from implies, suggests, hints, or in some other less than fully direct manner conveys” (Grice, 1989, 360). On the adverbial account, this is only true about how contents are presented by the choice of direct as opposed to indirect means. On the one hand, on account of irony, or malaprops, the act literally indicated might not be actually performed with any assertoric commitment; this is why AL includes (1), for otherwise speakers would lie vis-à-vis literal content when they are sarcastic, malapropian, or tell fictions.²⁰ On the other, the act actually performed in a paradigm case of indirection—a particularized implicature—may well be one of testifying, subject to KPR on the account assumed here—hence one with the highest strength of assertoric commitment; this is why AL has condition (2). Grice’s

¹⁸ I don’t mean to suggest, however, that current empirical data definitely settle the score in favor of either *saying* or *commitment* accounts, see Sect. 2.

¹⁹ This is also García-Carpintero’s (2018) suggestion about some of Viebahn’s (2017) cases. These results provide reasons against Meibauer’s rejection of the lying/misleading distinction additional to its intuitive entrenchment. Meibauer (2014, 107–111; 2018, 364) relies on points that I fully endorse: that speakers can be as fully assertorically committed to contents they imply as to those they say, and that the cancellability of implicatures doesn’t tell against this. They constitute in fact my main reasons against the commitment account, see Sect. 2. These points just put stress on this view, not on the distinction itself.

²⁰ This would also be prevented by an “intention to deceive” condition, here disregarded on account of bald-faced lies, fn. 7.

recommendation letter case and Dennis's implied message to Rebecca illustrate this.²¹

The alternative *commitment account* purports to explain the difference between lying and misleading in terms of strength of assertoric commitment: its “central tenet” is that “liars take on a commitment that misleaders avoid” (Viebahn, 2021, 291).²² The lying/misleading distinction is on this view not sensitive to the semantic properties of expressions. I have granted some correlation between semantic content and degree of assertoric commitment; but the points in the previous paragraph show that it breaks down in many cases. This makes for a *prima facie* indictment of the commitment account as an acceptable explanation of the intuitive lying vs. misleading divide, because particularized implicatures should fall squarely in the second class in the sense of ‘lying’ we are elucidating.²³ How can commitment accounts like Viebahn's, which relinquishes a condition like (2) in AL, line up with the intuitive contours of the lying vs. misleading distinction? As said, this is all that there is to it; this is just a superficial, intuitive distinction—which may play, as such, an evidential role in theoretically delineating real kinds like *assertion* or *semantic content*. I'll now sum up my reasons against Viebahn's response to this worry (García-Carpintero, 2021a).²⁴

Some philosophers (Borg, 2019, 2022; Fricker, 2012) argue that no implicature can come with true assertoric commitment, because they can be cancelled—this is one of several criteria that Grice (1975, 57–58) offers for them. For instance, in Paul's party vignette Dennis might have cancelled the implicature by consistently uttering instead ‘I have to work; but I plan to attend Paul's party nonetheless/but I don't mean to suggest that I don't plan to attend.’ The cancellation availability is supposed to allow the speaker “plausible deniability” of the implicature, which is taken to show the absence of proper assertoric commitment.²⁵

²¹ Cf. Viebahn (2017, 2020), García-Carpintero (2018), Camp (2018), Pepp (2020), and Mazzarella (2021, §4). Of course, many implicatures are presented with less than full assertoric commitment, and hence disqualify as lies given (1) in AL. Grice's (1975, 51) *petrol station* and *Smith visits New York* cases are good examples. A: Smith doesn't seem to have a girlfriend these days; B: He has been paying a lot of visits to New York lately. Grice hedges these implicatures: “that Smith has, *or may have*, a girlfriend in New York” (Grice, 1975, 51; my emphasis).

²² I am referring to the account as the literature does but, conceptually, we shouldn't mix up the (assertoric) commitment account of the *lying/misleading distinction* and Brandom's (1983) or Geurts's (2019) commitment account of *assertion*. As indicated above, the latter is consistent with *saying* accounts of the lying/misleading distinction—whatever Brandom's or Geurts's actual views on our issue might be; Viebahn (2021, Sect. 4.2) appears to agree. Marsili (2021, 3261) offers a *saying* account of lying very much like AL which relies on a commitment account of assertion.

²³ As opposed to the extended use, on which the recipient of the recommendation letter whose angry complaint I imagined above may well call it a “lie” in verbalizing it.

²⁴ Meibauer's (2014) rejection of the lying/misleading distinction (fn. 19) is, in my view, the view consistent with adopting a commitment account; but this is not Viebahn's line for, as indicated (fn. 2), he wants to elucidate the distinction with its intuitive contours.

²⁵ Cf. Sullivan (2017) for a good review and discussion of worries about the cancellation test, some related to the issues discussed here, see below. I agree with Sullivan (2017, 166) that cancellability is a strong test for implicature, even if defeasible.

Viebahn (2017, 2019, 2020, 2021, Sect. 1) disagrees with Fricker and Borg; he grants that conversational implicatures may convey full assertoric commitment.²⁶ But he also enlists *plausible deniability* as his criterion for the lying vs. misleading distinction: lying, unlike misleading, requires assertoric commitment incompatible with plausible deniability. Viebahn contends that, in response to an accusation by Rebecca of having lied to her by uttering ‘I have to work’ in the Paul’s party example, Dennis “can offer the following sincere (albeit pedantic) response: ‘I didn’t lie. I didn’t claim that I wasn’t going to go to Paul’s party. I merely claimed that I had to work, which I did’. By contrast, Dennis cannot sincerely reply in this way if he lies by uttering [‘No, I’m not going to Paul’s party’]” (Viebahn, 2020, 3; cf. also Viebahn, 2017, 1370, Viebahn, 2019, 246).²⁷

Viebahn (2021, 300) turns the *plausible deniability* criterion into his characterization of lying. Lying in a communicative exchange relative to a content p that the speaker believes false, as opposed to misleading, occurs when the speaker cannot “consistently dismiss” the audience’s challenge to justify that he knows p . On the view about full assertoric commitment I am assuming, such challenges are in order when the commitment exists, being indeed a telltale sign of it. As Viebahn says, they can be properly answered by offering an acceptable justification; or the commitment may be retracted. The alleged distinguishing issue is for him whether they can be “consistently dismissed”: if they cannot, we have a case of lying; if they can, one of misleading intent. Viebahn doesn’t explain what he means by ‘consistent dismissal’; neither he, Fricker or Borg define ‘plausible denial’ either. It cannot just be narrow, formal logical consistency; but it doesn’t seem to be broadly conceptual consistency either. I’ll argue that neither *plausible deniability* nor *consistent dismissal* are up to the task of tracing an acceptable distinction between lying and misleading coincident with intuitions.

The problem lies in that ordinary speakers’ intuitions on the distinction concern contents of utterances in particular contexts, to which the contribution of context-dependent expressions and other sources of (roughly speaking, which suffices for my purposes) “ambiguity” like polysemy and homonymy have been settled. But such “ambiguities” in literal discourse open roads to “plausible deniability” and “consistent dismissal”.²⁸ I’ll illustrate this with force-indicators, which are

²⁶ Viebahn (2021, 296, fn. 24) contends that a speaker using a creative, freshly minted metaphor may lie. He (2021, 312–313, fn. 63) also appears to share my diagnosis above that, in the proper context, Grice’s letter-writer incurs full assertoric commitment.

²⁷ Viebahn (2021, 289) replaces the Paul’s party cases he had so far taken as “uncontroversial” examples of lying vs. misleading with one from Saul (2012, 70), in which a dying woman asks a doctor whether her son is well (2012, 4). The doctor saw the son the day before, when he was fine, but knows that he was killed afterwards. The lying doctor here utters ‘He is fine’, while the misleading doctor utters ‘I saw him yesterday and he was fine’. I’ll show below that my points apply also to this case.

²⁸ Cf. Camp (2018, 44–52) and Reins and Wiegmann (2021, Sect. 2.5.1) for related points. I assume that Viebahn, Fricker and Borg understand these notions normatively, not factually, as the qualifiers ‘plausible’ and ‘consistent’ suggest; I’ll offer interpretations below. The 45th president of the US made glaringly clear what is already well attested: that speakers as a matter of fact deny/dismiss anything, including what they have clearly, unambiguously, literally said: they deceitfully claim that they only meant to speak in pretense, and so on.

“ambiguous” enough; but any other source would equally sustain the point.²⁹ Lying Dennis utters ‘No, I’m not going to Paul’s party’; but he can still (even if, as Viebahn puts it, “pedantically”) try to save face by making an utterance of the kind that Viebahn offers as his test: ‘I didn’t lie. I didn’t *claim* that I wasn’t going to go to Paul’s party. I merely expressed my intention at that time, which I had’. He can equally dismiss challenges: “I didn’t claim that I wouldn’t go to Paul’s party, I merely expressed my intention not to go at the time, which I had; I can’t see into the future any more than you can.”³⁰

Viebahn qualifies face-saving misleaders like Dennis as “pedantic”; more accurately, he also describes their retorts as “disingenuous” (Viebahn 2021, Sect. IV.2), which lying Dennis’s certainly are. Why are they? On my own diagnosis, because both *had* in fact claimed what they now say they hadn’t—on the account assumed here, becoming thereby beholden to KPR. Both lying Dennis and misleading Dennis had thus incurred assertoric commitment of the highest strength. Rebecca might thus angrily reply to Dennis *in both cases*: ‘Don’t bullshit me, of course you *told* me that you weren’t going to go to Paul’s party; that is what I had asked you about, what I wanted to know and what was only relevant to me, as you very well knew. You are dishonestly reinterpreting your words.’³¹ I already made the same point above about Grice’s recommendation letter case, when placed in the particular context I described.

This shows that the assertoric commitment account is inapt to capture the intuitive lying vs. misleading distinction. For Dennis was intuitively lying in the case for which, as I have just shown, he nonetheless retains “(pedantic and disingenuous) plausible deniability” and has a “consistent denial” available to him, as much as he did when he was aiming to mislead Rebecca. The (weak) sense in which in both cases they retain plausible deniability, and challenges can be dismissed, is this: *affording an outwardly face-saving response, even if deceitful, and open to moral or legal reproof.*³² Alternatively, we can say that the availability of Rebecca’s scolding reply shows that liars don’t really keep plausible deniability and consistent dismissal, in a stronger sense than this; say, *affording a face-saving*

²⁹ Here is a real-life example, involving “a 40-year-old businessman from Miami named Gabriel A. Garcia who participated in the January 6th “protests”, who faces six criminal charges including civil disorder. Inside the Capitol, in an ominous singsong voice, Garcia called out, “Nancy, come out and play!” (paraphrasing a villain in the 1979 urban-apocalypse film *The Warriors*). “It’s not like I threatened her life,” Garcia said in an interview, adding that he might not even have been talking about the speaker of the House. “I said ‘Nancy.’ Like I told my lawyer, that could mean any Nancy.” (Barton Gellman, “Trump Next Coup Has Already Begun”, *The Atlantic*, December 6th, 2021).

³⁰ In Saul’s dying mother case (fn. 27) the lying doctor can retort, “I didn’t *claim* that he was fine, I was merely guessing; as you know, I was not monitoring him in real time.”

³¹ The same applies again to the dying mother case, *mutatis mutandis*, if the context makes it clear that it is reliable information that she is requesting, as opposed to an educated guess.

³² It is fully consistent (and predicted!) by the adverbial account that in some cases speakers aren’t allowed even these weak forms of plausible deniability and consistent dismissal—which is not to say that, as a matter of fact, they are not going to go for it, fn. 28, remember “alternative facts”. If I lie to refuse an invitation by uttering ‘Thanks, I have eaten’, the previous maneuvers are hardly available to me. It is enough for my argument that there are intuitively paradigmatic lies in which they are retained, like those I offered.

response, as appraised by an informed judge.³³ But then some misleaders aren't allowed them either.

Like Stokke (2016), Viebahn (2020) presents the Paul's party case as prototypical of lying—as one on whose classification all accounts should agree to stay on topic. If my diagnoses of the cases are right, by Viebahn's own lights (i.e., by applying his own test) we can see why the commitment account doesn't adequately capture the intuitions behind the lying/misleading distinction. In the weak sense just offered, *plausible denial* and *consistent dismissal* just come to the putative availability of an ostensible face-saving retort; as shown, the many wrinkles in literal discourse also allow lying speakers a good measure. A more demanding interpretation of *plausible denial* and *consistent dismissal* would also leave assertorically committed but merely implying speakers without them. On the demanding interpretation, these notions track only the first condition in AL. They are thus inadequate for the job that Viebahn wants from them because, as he agrees, some implicatures convey full assertoric commitment.³⁴

I have been insisting that the lying/misleading distinction is an intuitive one; it is hence eminently amenable to empirical study, and there are now some interesting results, cf. Wiegmann and Meibauer (2019) and Wiegmann et al. (forthcoming, Sect. 5) for good summaries. I already mentioned the one by Weissman and Terkourafi (2019), which their authors take to support saying accounts (see, however, Wiegmann, 2022). I saw his results too late to properly discuss them here. I'll just say that I find them not just consistent with AL, but better explained by it. Note in particular that one of Wiegmann's crucial additions to Weissman and Terkourafi's vignettes is to make explicit, as a question under discussion—hence a presupposition afterwards—, the implied false content as a potential answer). Other researchers (Mazzarella et al., 2018; Reins and Wiegmann, 2021; Wiegmann, 2022) take their results to go against such accounts, and to support instead commitment accounts. I'll say something in response to close this section.

³³ Cp. Mazzarella's (2021) distinction between *possible* and *plausible* deniability. Mazzarella et al. (2018, 16) seem to assume some such stronger sense when they point out that “what is cancellable is not necessarily deniable (at least not plausibly)”; also Reins and Wiegmann (2021, Sect. 2.5.1) when, discussing the misleading Dennis case, doubt “that people always perceive such defenses to be plausible”. Pepp (forthcoming) articulates in nice ways many of the points I have been presenting against Viebahn's account, and others related. She suggests amending commitment accounts to properly capture the lying vs. misleading distinction in ways that I take to be compatible with AL, along the lines of Marsili's (2021, 3261) account, as already said very close to AL.

³⁴ The theoretical burden that Borg (2022, Sect. 3) places on *plausible denial* and related normative notions is even more problematic. She agrees with Fricker (2012) that speakers cannot incur assertoric commitment to what they imply, because they don't bear “conversational responsibility” to it. She accepts in contrast that one can be assertorically committed to “explicatures”—including those that moderate contextualists count as semantic contents—by being properly “liable” for them. However, she claims, one doesn't lie with respect to them; one can only lie vis-à-vis “minimal contents”, because it is only towards them that one bears “the responsibility ... that would underpin an accusation of lying”. But (i) the points in the main text dispose of Borg's implicatures vs. explicatures contrast; plausible deniability may be equally present/absent in both cases, depending on how we interpret it. (ii) No support for minimalism comes from the folk lying vs. misleading distinction. For Borg to be right, to lie (in prototypical cases, as opposed to merely mislead) in uttering ‘I have eaten’ (fn. 32), it is the content *that I have eaten sometime in the past* that I should believe false and intend my audience to believe. This is highly compelling.

Mazzarella et al. (2018, 17) say their results show that “*implicating* is taken to be less committal than *saying*” (Mazzarella et al., 2018), which I have argued is true in general but false in some cases. They asked their subjects two sort of questions about speakers who have tended wrong information, some saying, some implying it. First, *punishment* questions concerning their normative appraisal. Their results here align with those of Bonalumi et al. (2020), which are consistent with AL. Their subjects take speakers to be committed as strongly to what they literally, explicitly say, as to what they convey by means of implicatures, when its significance to the audience is made sufficiently clear in the context. Bonalumi et al. target promises, but their results carry over to assertions; Mazzarella et al. (2018) similar results concern them. Now, Mazzarella et al. also asked *trust* questions, exploring whether their subjects would be prepared to rely on speakers afterwards. Their results here suggest that implying speakers “keep their reputation” more than saying speakers, which they take to support the claim quoted above. But Bonalumi et al. (2020, 361–362) also tested their subjects on this dimension and obtained inconsistent results, undermining the claim.

Reins and Wiegmann’s (2021) and Wiegmann et al. (forthcoming) contend that their results support commitment accounts. They do conflict with views like Fricker’s (2012), Stokke’s (2016) and Borg’s (2022) that assume that assertoric commitment must be expressed by declarative mood; but AL distinctively rejects this, and hence allows that generalized implicatures may lie someone in between. As far as I can make it out, these results otherwise align well with those in Weissman and Terkourafi (2019). Beyond contents literally conveyed by declarative sentences, their participants gave the most clear-cut diagnosis of lying to cases of deception by means of linguistically articulated presuppositions to whose truth the speakers were clearly committed given the issues at stake in the context. Subjects also in general considered generalized conversational implicatures closer to count as lies than particularized implicatures, as AL predicts. Like subjects in the studies by Weissman and Terkourafi (2019), those in these studies took cases involving cardinals—which many researchers wouldn’t consider implicatures—to be closest to lies with literal assertions.

The empirical results do not thus appear to conflict with AL; a case can in fact be made for the claim that AL fits better the data than rival accounts. Viebahn’s commitment account makes predictions inconsistent with folk intuitions for some particularized implicatures. Alternative saying accounts like Stokke’s make wrong predictions for presuppositions and fail to predict that some conventionalized implicatures yield in-between verdicts.

As I said, both philosophers and lay people find value in the lying vs. misleading distinction, moral or perhaps aesthetic (cf. Pepp, 2019; Shiffrin, 2021 and references there). The ingenuity we are prepared to put to mislead without lying witness it. Timmermann and Viebahn (2021) argue that the commitment account offers a better explanation for such value intuitions. Although I cannot go into this in any detail here, I’ll briefly mention aspects relevant to our discussion. On the adverbial account, the distinction is one of how, not of what; this might suggest that it upholds Saul’s (2012) and Williams’s (2002) revisionary view that there is in fact no real moral significance to it. But even if lying is only a matter of manner, on the social

account here assumed the manner in question involves the misuse of an important social tool with a significant social function, the pooling of information. This might be elaborated along different lines to defend the default moral significance of lying—Pepp (2020, Sect. 5); see also Pepp’s (2019, 301–303) AL-friendly account of the aesthetic significance she claims for the distinction. Consistent with AL, in some cases lying and misleading may be morally on a par—say, when there is full assertoric commitment to the misleading content and inducing a false belief has high moral significance, as in Saul’s (2012, 73) peanut allergy case. Lying might even be morally better for addressees who “don’t have a claim to truth” like Kant’s murderer (Timmermann and Viebahn, 2021).

Let’s move now to consider the case of communication by means of pictures.

3 Lying and depiction

Intuitively, we can assert—we can incur the full assertoric commitment of flat-out assertions, testifying on the view assumed here—by means of pictures (Eaton, 1980; Greenberg, 2018; Kjörup, 1974; Korsmeyer, 1985; Nöth, 1997). If I draw you a map for how to get to my home from the nearest freeway exit, I present myself as telling/informing you how to locate it pictorially. If a report in the newspaper on an accident at the Grand Prix comes with a photograph of a wrecked motorbike, it tells us about how the vehicle looked after the accident. A drawing accompanying a newspaper report on a trial shows us how the defendant looked during his deposition. It speaks in favor of AL (and *prima facie* against, say, Borg’s, Fricker’s and Stokke’s views) that it straightforwardly allows for this: what constitutes the act is its being answerable to KPR, not the *manner* or *vehicle* by means of which it is performed.

At this point I need to say something about my assumptions on the nature of contents. There is a debate in the philosophy of mind about a distinction between mental states like beliefs and judgments—which we would naturally articulate linguistically in inner or outer speech—and states like imagistic visual experiences. Unfortunately, this has been cashed out as a debate on whether the contents of experiences are “conceptual” or otherwise, which suggests that the contents themselves of images differ from those of linguistic items. I reject such views. On an influential account propositions can be modelled as sets of worlds, and these in turn are understood by Stalnaker (1976) as determined by *ways* or *properties* the world might have. I endorse Stalnaker’s view that propositions/contents, both for pictures and linguistic items, are such properties (Kjörup, 1974, 220–221; Blumson, 2009; Greenberg, 2018, 2021; Maier, 2019; Abusch, 2020). I will not defend this view here; let me just note two points in support of assuming it for our purposes.³⁵

³⁵ Cf. for fuller philosophical support Richard (2013); Speaks’s “Propositions are Properties of Everything or Nothing”, in King et al. (2014), Grzankowski (2015), Sinhababu (2015), Pautz (2016), Grzankowski and Buchanan (2019) and García-Carpintero (2021c). Contents essentially provide correctness conditions for representations; this is what is required for them to properly perform the tasks in their job description (Sinhababu, 2015). The conceptual vs. nonconceptual distinction can be traced at the level of content-vehicles, as opposed to contents themselves; cf. García-Carpintero (2006).

First, most current semanticists assume it; in particular, the view is assumed in recent ground-breaking work on the semantics of pictures just referenced, by Abusch, Greenberg and Maier, among others. Second, the view corroborates intuitively natural assumptions, such as that a literary fiction and its film adaptation share content, or that perceptual beliefs share content with the experiences that justify them. Taken as properties, propositions are finer-grained than the sets of worlds at which they are instantiated, thereby dodging well-known difficulties with the identification of propositions with such sets. They can be properties of situations smaller than worlds, as in *truth-maker semantics* (Fine, 2017; Yablo, 2014). They can specify impossible conditions (Berto, 2017). Pictures and linguistic expressions have different expressive properties: we don't get double-negation with pictures, perhaps not even negation; in contrast, picture-content is rich, "analog". But these can be explained as differences in the vehicles, not their contents (Grzankowski, 2015).³⁶

If we can assert with pictures, we can also deceive with them, as our intuitions also uphold (Nöth, 1997). Thus, in drawing the map to get to my home offered as an illustration above, I may (intentionally) deceive you, leading you astray by depicting a route that I know will lead you away from my home. Viebahn (2019, 246) reminds us how "the newspaper *The Mirror* lied to its readers by printing a manipulated photo of Lady Diana and Dodi Fayed on its front page" portraying them as if they were about to kiss. Korsmeyer (1985) discusses Paul Revere's engraving of the Boston Massacre in this regard. Similar cases involve the moving image. Wilson (1986, 1, 202) mentions a montage of three shots in Welles's 1947 *Lady from Shanghai*: a truck pulls out in front of a car; a woman's hand presses a button; the car crashes into the truck. The montage induces us to "see" the pressing of the button as somehow causing the accident. This occurs in a fiction, but similar inferences are induced in assertoric cases, sometimes deceptively. Discussing the notorious case of Michael Moore's 1989 *Roger & Me*, Currie (1999, 296) points out that the time frame presented in the film implies "that events had one kind of cause when in fact their actual time of occurrence made such causation impossible". Moore's films rank high on fan lists of deceptive documentaries,³⁷ together with classics like Flaherty's 1922 *Nanook* and Algar's Disney 1958 *White Wilderness*.

Not to beg any questions, I have presented these examples as cases of deception, but I find persuasive some of Viebahn's (2019, Sect. 2) reasons to find in this medium an intuitive correlate of the distinction between lying in the more restricted sense, and misleading intent—although it seems to me that the distinction has a less

³⁶ Structural differences in the vehicles—in particular, on how their semantically significant "syntactic" parts are put together in order to determine the semantic value of the complex meaning-vehicles they compose—also help with concerns about the coarseness of contents, like "utterances" with impossible contents such as (perhaps) Escher's paintings, or visual experiences in the *Waterfall Illusion*. Kulvicki (2020) has a well-developed proposal on the meaningful syntactic "parts" of pictures.

³⁷ For some such lists see, e.g., <https://www.youtube.com/watch?v=JpYL YELMgPo>, <https://www.youtube.com/watch?v=x6fPEOzRIUM>. Thanks to Enrico Terrone.

clear foothold in the case of pictures, which AL explains along lines I'll suggest shortly.³⁸ Viebahn offers the following example as an intuitive case of lying in the narrow sense: “Martha wants Nora to think that Oscar and Paula kissed. Martha knows that in fact Oscar and Paula never kissed. She carefully manipulates a photograph in such a way that it shows Oscar and Paula kissing and messages it to Nora with no further comment. When Nora receives the photo, she comes to believe that Oscar and Paula kissed”, (Viebahn, 2019, 243, like him I'll call the exchange ‘P1’). He contrasts this with the following case of mere deceptive intent. This time “Martha’s goal is not only to convince Nora that Oscar and Paula kissed, but that they are a couple ... Martha could ... send several photos of Oscar and Paula standing outside their flat and carrying boxes into the flat. In this way, she could communicate to Nora that Oscar and Paula have moved in together, and mislead her into thinking that Oscar and Paula are a couple” (2019, 245–246, ‘P2’).

Viebahn offers two reasons for these exchanges to exemplify an intuitive lying vs. deceiving distinction in communication by means of pictures. The first makes by itself a good *prima facie* case for it. He compares P1 to a case in which Martha just says to Nora ‘Oscar and Paula kissed’, and he notes that “there appears to be no relevant difference between the two communicative acts. In both cases, Martha intends to communicate to Nora the proposition that Oscar and Paula kissed, which she believes to be false. And it would be entirely natural to report either communicative act as follows: [...] *Martha lied about Oscar and Paula kissing.*” (Viebahn, 2019, 245)³⁹ I would add, in support of the AL account below: in both cases the content is intuitively communicated as “literally” or “explicitly” as it is feasible, given what each medium affords; more on this shortly.

Viebahn’s second consideration appeals to his unhelpful “plausible deniability” criterion and hence offers no support. He contends that, while in P2 Martha retains “pedantic but truthful” deniability, she doesn’t retain it in P1. I reject this on grounds by now familiar. On the one hand, Martha does retain in P1 a measure of the weak form of deniability. In the utterance case she can say, *I didn’t lie about Oscar and Paula kissing; I thought it was clear to you that I was merely parroting what I had heard.* In the picture case, *I was only resending you a picture someone else had sent me.*⁴⁰ Of course, she is just putting forward a (pedantic, disingenuous, and in all probability unsuccessful) attempt at face-saving; but the same applies to P2, if Martha sent the picture after having been asked *explicitly* whether Oscar and

³⁸ In discussing the related issue of whether there are metaphorical pictures, Kulvicki (2020, ch. 6) offers the methodologically good advice to avoid cases for which the impression of a metaphor can be explained as deriving from metaphorical linguistic utterances by means of which we would describe them. *Mutatis mutandis*, this advice should be followed in our case. Kulvicki convincingly argues nonetheless that there are pictures metaphorical in themselves, which on AL is consistent with a lying/misleading distinction if such metaphors create indirect contents and hence can mislead without lying. It would be great to have empirical research on this, of the kind discussed above for the linguistic case. E. Viebahn and colleagues have work-in-progress on this, apparently consistent with a lying vs. misleading distinction for communication with pictures but less determinate than in the linguistic case.

³⁹ The intuitions Viebahn brings forth here are those behind the intuitive notion of “translations” between media, as in film adaptation of literary works.

⁴⁰ Or: *I didn’t mean that Oscar and that Paula, just other people called ‘Oscar’ and ‘Paula’* (see fn. 29); or: ... *other people looking like Oscar and Paula*, and so on.

Paula are a couple, and then, when the deception is found out, she reproduces Viebahn's formula: *I didn't lie about Oscar and Paula being a couple. I merely showed you that they moved in together, which is true.* Alternatively, we could withhold plausible deniability in the first case using the stronger notion in Sect. 2; but then we should withhold it in the latter also.

Assuming thus an intuitive lying/misleading distinction for communication by means of pictures, Viebahn considers whether *saying* accounts can work here. He raises a "first, albeit minor worry: there appears to be no pre-theoretical understanding of saying that applies to presenting pictures" (2019, 250). But there is such a pre-theoretical understanding, as I'll now establish, 'showing' being a better term for it than 'saying'. It allows us to articulate a version of AL for lying in assertoric communication with pictures good enough for my purposes. As said at the outset, my aim is to establish a conditional claim: to the extent that the folk lying vs. misleading distinction has a foothold in the case of pictures, AL can be developed for depictive media to better account for it than rivals. I'll offer three quotations pointing to an intuitive explicit vs. implicit distinction for communication with pictures.

Discussing his *Imagined Seeing Thesis*, Wilson (2011, 57) makes this intuitive point: "we regularly think and speak of ourselves as if we 'see' the fictional objects, events, and situations that movie shots and sequences depict [...] These judgments about what we do and do not 'see' among the depicted fictions in a movie are not only ubiquitous, but they correspond to the fundamental distinction between those narrative items and occurrences that are presented on screen in a given stretch of the movie and those that aren't. Thus, for example, it is fictionally true in the movie *M* (Fritz Lang, 1930) that a certain child murderer, Hans Beckert, [...] meets a little girl Elsie Beckmann [...] on a Berlin street, buys her a balloon, and subsequently murders her [...] although viewers of *M* arguably 'see' the meeting with the murderer, Beckert, on the street and certainly 'see' the purchase of the balloon, they notoriously do not 'see' the murder of young Elsie. The latter is a fictional episode in the story, but its occurrence is merely (although quite distinctly) implied in the narration." Similarly, a central part of what Almodóvar's 2002 *Talk to Her* conveys is that Benigno rapes the comatose Alicia; but, unlike other plot features, we don't "see" this in the film.

Eaton (2013) calls our attention to a striking example of the same contrast in Hitchcock's 1972 *Frenzy*: "Early on in the film we are shown a scene of rape and strangulation that was quite graphic and vivid in its time. About thirty minutes later, we see the perpetrator escort another young woman up to his apartment. The camera follows them up the stairs and as he shuts the door, we hear him say the very same words that he uttered before attacking the first victim ('You're my type of woman')." We thus infer that a similar crime occurs behind the door, and our suspicion is later confirmed; but this time we do not "see" it: "the door shuts in our face as the camera slowly tracks back down the stairs in silence and across the

street” (Eaton, 2013, 378).⁴¹ Finally, Abell (2005, 55) offers a third illustration, to motivate a distinction between *visible* and *depictive* content: “black-and-white pictures do not necessarily depict black-and-white objects, and stick-figure drawings do not usually depict emaciated beings with gargantuan heads. Black-and-white pictures often depict colored objects and stick figure drawings often depict normally proportioned human beings [... but] we cannot arrive at this interpretation of their content by appeal to the way they look.”⁴²

In the quoted passages, Wilson, Eaton and Abell point towards an intuitive distinction between contents that pictures, as such, make explicit (contents that, I’ll say, are *shown* in them) and contents that are also communicated by means of them, but are not made “visible” by them—are not *shown*.⁴³ This makes it clear that, against Viebahn’s objection, the adverbial account does have a clear-cut intuitive foothold in this case too. This intuitive distinction supports the view that there is a semantics vs. pragmatics distinction for pictures worth to be theoretically articulated. The view, that is, that there are contents that are to be ascribed to pictures themselves, as such, relatively independently of the use that communicators make of them, and others that are merely speaker-meant.⁴⁴

This suggestion has in fact been taken up in debates about the meanings of pictures. Although this has not been investigated in contemporary philosophy as intensely as the linguistic case, there is already a considerably literature on it.⁴⁵ We cannot go into it here, nor is it needed for my goals. It suffices for my purposes that

⁴¹ Eaton takes the forward-backwards tracking shot to make an indirect communicative act: in raising and then betraying our expectations of “watching” a violent scene again, the film (or its author) is drawing attention to, and perhaps reprovving, the audience’s voyeurism. Like Kulvicki’s (2020) case for metaphorical pictures, the availability of implicatures like this, remote from the “literal” meaning of the shot (on which more below) supports the view that there is a lying vs. misleading distinction here too, consistent with AL. For they can occur not just in fictions like *Frenzy*, but also in documentaries; thus, Joshua Oppenheimer’s 2012 *The Art of Killing* may indirectly convey claims about the redemptive power of imaginative reenactments—cf. Munch-Juriscic (2018) for discussion.

⁴² Distinctions like Abell’s are very common in discussion of depiction, and regularly presented as intuitively well supported, cf. Voltolini’s (2015, 9ff) distinction between the pictorial and non-pictorial aspects of the representational content of pictures.

⁴³ This assumes that pictures are representations, which Briscoe (2016) rejects with interesting considerations. He offers (in Greenberg’s (2021, Sect. 6) taxonomy) a *perceptual resemblance* account, based on an assumption common among vision scientists that, through the mechanisms of ordinary perception, pictures produce experiences of a virtual 3-D “pictorial space”. He argues that those “spaces” are *models*, in the intuitive sense applying to 3-D scale-models, decoys, mock-ups and so on. Some, but not all, may play representational roles, by representing features of their targets that they instantiate. He mentions *trompe-l’oeil* paintings as examples of depictions that are not representations. He also mentions examples of depiction without awareness of any representational vehicle, including *trompe-l’oeil* paintings and stereograms. I think Briscoe’s is a nice view, which, among other things, may help in debates about depiction in “virtual reality”. But given the superficial character of the lying vs. misleading distinction, we need to focus only on prototypical cases of depiction, and these are representational and have discernible vehicles. Briscoe’s account allows also for the distinction between “seen” and “unseen” content that AL needs.

⁴⁴ I say “relatively” because use may play a metasemantic role in a full account of the semantics of pictures. There is no principled difference here with the linguistic case, in which use is also thought to have such a metasemantic role by theorists with different perspectives.

⁴⁵ Kulvicki (2014), Voltolini (2015, part I) and Hyman and Bantinaki (2021) provide excellent presentations of the current state of the art.

we find represented in these debates the very same positions as in the linguistic case. Putting aside the equivalent of “radical contextualist” views that would dismiss it, most writers would agree that there is a minimal properly depictive content. Different theories characterize it in different ways; on a view I like (Greenberg, 2021; Kulvicki, 2006), this would be the class of scenes that would project the shape depicted in the picture given some system of projection. This would capture the core of the intuition that (unlike their linguistic counterparts) pictures “resemble” the scenes they depict.⁴⁶ As in the linguistic case, there is a range of views on these core semantic contents of pictures, depending mostly on how constrained they are taken to be at the metasemantic level by facts about our visual system.⁴⁷ Minimalists would contend that this is all that there is to the semantic content of pictures; anything beyond it is just “pragmatic”.

As with corresponding views in the linguistic case, this would make the semantic content of pictures wildly remote from what intuitions like those articulated in the three quotations above, or the related intuitions about a lying vs. misleading distinction with pictures that Viebahn’s examples suggest. For—just to illustrate it—bare-bones content is even compatible with the depicted scene being a 2-D reproduction of the depictive surface. Because of this, most writers posit a still semantic, but richer, more determinate content for pictures, obtained by “filling up” minimal depictive content. Theoretical elaborations on this yield “moderate contextualist” views for depiction. I’ll illustrate the idea with a version of this.

Kulvicki (2020) assimilates minimal depictive contents to Kaplanian characters, and the sort of richer but still “semantic” depictive contents I am discussing now—which he calls *pictorial content*, what is shown in my terms—to Kaplanian contents; this is a view analogous to Stanley’s (2000) *indexicalism*. Even accepting a framework of this sort, there is still plenty of room for disagreement. Thus, for instance, Kulvicki himself opts for pictorial contents that are general, while Greenberg (2018) defends singular contents for pictures, which I take to be more in line with the intuitions just mentioned. Terrone (2021) provides another account, closer to Greenberg’s proposals (and to my own views, for what it is worth).

We don’t need to go further into these debates to appreciate that AL has the resources needed to deal with pictures. We should understand ‘makes explicit’ in the second condition relative to a notion of pictorial content related to what pictures *show*, on which the views just discussed theoretically elaborate, which as we have seen has intuitive support. Thus understood, and to the extent that our intuitions validate a folk lying vs. misleading distinction for pictures, the account retains its main methodological virtue: it captures a pretheoretical, to a good extent

⁴⁶ Drawing on Haugeland (1991), Kulvicki (2006) cashes this out as *Bare Bones Content*; Hyman (2012) and Hopkins (1998) (respectively) as “occlusion/outline shape” content. In the account I find more convincing, Greenberg (2021) characterizes it as projection-based accuracy conditions; see the works in the previous footnote for elaboration and references.

⁴⁷ On Hyman’s and Hopkins’ accounts, minimal depictive contents are constrained by the projective mechanisms that human vision systems use. Kulvicki and Greenberg make a, to my mind, convincing case for a more liberal account; Greenberg (2021) shows that there are clear cases of depictions that use parallel projection. Cp. in the linguistic case views on core, “encoded” semantic contents ranging from Pietroski’s (2018) to Harris’s (2020).

indeterminate nominal kind, which can be deployed in abductive arguments on views about depiction like those just mentioned. But, of course, by itself it doesn't select one of them; even a radical minimalist account on which only Kulvicki's *bare bones content* is the semantic content of pictures may be defended, by rejecting the intuitions or explaining them away. We already know from extensive debates about it how controversial the notion of semantic content is in the linguistic case. Perhaps this is only a consequence of the fact that there has been less debate on pictorial content, but it is my impression that the intuitive notion of what is shown by pictures, as opposed to what is merely "implicated", is shakier than the corresponding distinctions for the linguistic case. This would explain the comparative shakiness of the lying vs. misleading distinction with pictures. As said, this should be studied empirically.

Aside from the "minor worry" I have thus just answered, Viebahn raises two objections to the sort of account I have outlined. The first is "the challenge of propositionality", that "many theorists hold that pictorial content is not propositional" (Viebahn, 2019, 251). I have already replied to this too. 'Proposition' is a theoretical term in philosophy. Yes, there are accounts of propositions on which pictures don't express them; but the one I have suggested is a coherent, available choice, which allows for them to perform the tasks in their job description. AL is not meant to be neutral on all relevant philosophical debates and clearly it is not.

Viebahn's second objection is another challenge, to offer "a notion of pictorial content that is neither too broad, nor too narrow" (2019). He illustrates this by critically discussing from this perspective Abell's and Blumson's accounts of pictorial content. I don't need to defend them to show that this objection misinterprets the role that the lying vs. misleading distinction should have in our theoretical endeavors. This is not, I have been insisting, a real kind that our theoretical categories (including *pictorial content*) are mandated to neatly capture. We just need to offer a philosophical characterization of its superficial features that fits well enough its intuitive profile, which is, I have argued, just what AL provides, alone among contenders. If forthrightly applied to fix what counts as a lie, minimalist views like Borg's (I argued above, against her own claims), or corresponding ones for pictorial content, yield intuitively inadequate notions. But if they have more overall abductive support than their rivals, their proponents should at most explain away our intuitions. I don't see any reason why they would be unable to do so: they can simply acknowledge an intuitive notion of what is "literal", or "made explicit" by either linguistic or pictorial means. They just reject that the proper theoretical notion of semantic content should align with it.

4 Conclusion

In this paper I have articulated a particular version of a very natural view on the intuitive lying vs. misleading distinction, the *saying* account, on which the distinction is "adverbial": it depends on how the assertoric acts that must be present in both lying and misleading attempts are conveyed. I have shown how the view naturally extends to the case of lying vs. misleading with pictures. I have defended

saying accounts against the revisionary commitment account that Viebahn and others have been promoting, aiming to preserve its methodological virtues: it provides us with a good tool for the abductive investigation of theories on the semantic vs. pragmatic divide in different media. I have emphasized the underlying ontological issues: while we have good reasons to stick to the hypothesis that the latter distinction tracks a real kind—both in linguistic and depictive media—the lying vs. misleading distinction is just a superficial, nominal kind that doesn't bend to substantial theoretical discernment.

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