Proceedings of the European Society for Aesthetics

Volume 7, 2015

Edited by Fabian Dorsch and Dan-Eugen Ratiu

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Photographic Deception

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ABSTRACT. The philosophy of pictorial communication has advanced through ideas and theories of various philosophical traditions, relying on diverse research methodologies. A long forgotten advancement in the philosophy of visual communication has been recently revived,[1] suggesting that the theory of speech acts may be successfully extended and developed for explaining the communicative processes involved in understanding and interpreting pictures and other visual phenomena. In my paper I consider how we may account for photographic deception with the help of the theory of pictorial illocutionary acts. Using photographic deception as an example I explain how the more general theory of pictorial illocutionary acts may be extended specifically to photographic illocutionary acts, and I also show how this theory accounts for certain types of photographic deception.

1. Introduction

It is of historical interest that the first seminal publications on the theory of speech acts[2] were soon followed by proposals for extending the theory to account for pictorial communication. Kjørup[3] and Novitz[4] discussed the theoretical background of pictorial illocutionary acts by exploring some of the most important and relevant similarities and differences between the ways we use verbal and pictorial locutionary acts. They argued that while written and spoken verbal utterances serve as locutionary acts for verbal illocutionary acts, producing and presenting pictures also constitute performing pictorial locutionary acts for pictorial illocutionary

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[1] Bátori 2012, 2014.
[2] Austin, 1962; Searle, 1969.
[3] Kjørup, 1974, 1978.
[4] Novitz, 1975, 1977.

acts. In what follows I will first briefly introduce the theory of pictorial illocutionary acts (we might also call them picture acts), and then I will turn to the specific case of what I consider photographic illocutionary acts. Although the theory of picture acts might be applied to still and moving, photographic and non-photographic images as well, I restrict my discussion to still photographic images here. I do not attempt to resolve questions that may arise from the combination of picture acts and speech acts, either. I only discuss still photographic and non-photographic images. For the purposes of this paper I treat possible titles as part of the contextual information on which we may rely when interpreting images.[5]

2. Verbal and Pictorial Illocutionary Acts

According to the theory of pictorial illocutionary acts, the acts of producing and presenting paintings, drawings, photographs, etc. may serve as visual locutionary acts, and as such they may have illocutionary force in the context of the use of the pictures. Furthermore, visual locutionary and illocutionary acts may also result in perlocutionary acts, just as it may happen in case of speech acts. Instead of the verbal utterances of speech acts, in case of picture acts (meaningful) pictures are presented for us as locutionary acts.[6] Of course, the literal interpretation processes of verbal and pictorial locutionary acts are very different, given the fact that there are significant differences between the structure of linguistic and visual communication.

Speech acts are performed with words and sentences. We understand the literal meaning of (written or spoken) verbal locutionary acts by relying on our knowledge of the literal semantic meaning of the words and the syntax of the given language. We interpret the literal meaning of locutionary acts in the contexts of their use in order to understand the illocution-

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[5] The status of the titles of pictures (if they have one) might be controversial. If the picture is a work of art, for instance, one might consider the title part of the artwork itself. It is also possible, however, to argue that we should understand titles not as part of the work, but as a piece of contextual information about the picture. In this paper I assume the latter strictly for the sake of simplicity but none of my arguments depend on that assumption.

[6] Kjørup, 1974, 1978; Novitz, 1975, 1977.

ary acts performed by the utterer of the locutionary act.[7] For instance, when Peter utters the sentence "I will cook dinner tonight.", Kate does not merely take this as a piece of information about Peter's evening plans, but also as an act of promise (illocutionary act), even though Peter did not use the explicit performative "I promise you that" expression in the sentence. Among the possible perlocutionary effects might be that Kate is happy about the prospects of having a nice dinner with Peter, or her feelings might be hurt because she concludes that Peter does not like *her* cooking.

In case of picture acts the interpretation process is based on our visual recognition capacities, such as object recognition, face recognition, etc. As opposed to the symbolic semantic meaning of words, our ability of recognising specific objects is established by having seen just a few tokens (or even just some visual representations) of them. Although I have never actually seen a whale, I can recognize whales because I have seen pictures of them. The meaning of pictures that is based on our recognition capacities is what Currie calls "natural" meaning. This is precisely the "literal" meaning of a pictorial locutionary act that gets interpreted in pictorial illocutionary acts. The natural meaning of pictures is the visual information we gain on the basis of our natural visual recognition capacities.[8] In both verbal and pictorial cases we interpret the locutionary acts in the contexts of their use to understand the verbal or pictorial illocutionary act performed by producing and presenting the verbal utterance or the picture. For instance, the written words "High voltage!" and the picture (usually a sketchy, but easily recognisable drawing) of an electricity bolt both serve as (verbal or pictorial) locutionary acts for an illocutionary act of warning.

3. Photographic Illocutionary Acts

I think that using photographic images constitutes a highly specific subcategory of pictorial illocutionary acts[9]. The natural ("literal") meaning of

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[7] Austin, 1962; Searle, 1969.

[8] See Currie, 1995, Chapter 4 ("Languages of Art and Languages of Film") for an account of natural ("literal") pictorial meaning that is based on our natural visual recognition capacities.

[9] See also Bátori, 2014.

photographic locutionary acts is (just like in case of other pictorial locu-
tionary acts) the visual information we gain via our natural visual recog-
nition capacities. The further interpretation of photographs, however,
diverges from the interpretation of non-photographic images. I suggest
that it is a necessary component of photographic illocutionary acts that
the image presented is to be interpreted *as a photograph*, as opposed to
– even photorealist – paintings, drawings, montages, etc. The intended
recognition of photographic images *qua* photographic images results in
illocutionary acts that are specific to interpreting photographs. In case
of a photographic illocutionary act we interpret the image as the result
of (analogue or digital) photographic processes, even if our knowledge of
the technical details of those processes is vague, and even with the under-
standing of possible analogue or digital manipulation of the photographic
image.[10]

Our interpretation of photographs is also based on our more or less
precise knowledge about the difference between the ontological and epi-
stemic status of photographic images on the one hand, and drawings,
paintings, and other non-photographic images on the other. That is, if
one is not very familiar with the details of (analogue or digital) photo-
graphic processes, the indexical nature of the photographic image is well
understood even pre-theoretically. People interpreting photographs know
that the mechanical processes of recording light values means that there
is a causal physical connection between the visual properties of the photo-
graph and the visual properties of the scene recorded by the camera. Spe-
cifically, as Kendall Walton put it, the visual properties of a photographic
image are counterfactually dependent on the visual properties of the scene
photographed.[11]

The nature of the production of photographic images also constitutes
the basis of their epistemic status. We understand that if the camera is
properly set and the image is not manipulated, then we can get *at least some*
reliable information about the visual properties of the scene. Of course,
preserving counterfactual dependence is also possible in case of drawings
and other non-photographic images, but that is always an artistic choice,

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[10] Questions arising from possible (digital or analogue) manipulations will be discussed
later.
[11] See Walton, 1984, 1986, and 1997.

not the result of the mechanical processes of the camera. I suggest that our *default* interpretation of photographic images is based on our knowledge about their ontological and epistemic status. This is why it is a relevant piece of information about digital photographs that they were manipulated with the help of an image editing software; this (usually, but not necessarily[12]) contextual information changes our default interpretation. After learning that a photograph was manipulated, we no longer consider the visual properties of the image counterfactually dependent on the visual properties of the scene. Now we know that they might have been altered, and the status of the image with respect to the altered properties will converge with the status of non-photographic images, like drawings or paintings.

Consider the following two images, for instance [FIGURES 1 & 2]:

FIGURES 1 & 2. Idris Khan: *Every... Bernd & Hilla Becher Spherical Type Gasholder*, 2004. — Chuck Close, *Big Self-Portrait*, 1968.

Idris Khan's work initially seems to be a drawing (non-photographic), while Chuck Close's image seems to be a photograph. Then we learn that it is in

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[12] It is also possible that we can detect the manipulation just by looking at the image.

fact the other way around; Khan's work is photographic while Close's work is a painting (a non-photographic image). This (contextual) information will be significant for the interpretation of the images. For instance, we usually do not spend much time thinking about why drawings look like drawings, but looking like a drawing (instead of looking like a photograph) is a significant property to be interpreted in case of photographic images. Also, once we learn that Close's image is a (photorealistic) painting, we do not consider its visual properties to be counterfactually dependent on the scene. Preserving counterfactual dependence (if it was preserved at all) was an artistic choice, not the result of mechanical photographic processes.

The specific details of the production and use of photographic images are also important contextual components of photographic illocutionary acts and their possible perlocutionary effects. Consider, for instance, the following image [FIGURE 3], first without any information (title or other details) about its production and use. That is, consider the image as a photographic locutionary act, without any contextual information:

FIGURE 3. (Details are given in the text.)

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Without the information concerning its production and use we might easily assume, for instance, that this is a (poor quality) still from a movie. At least we would not be very surprised if this turned out to be true. The empty platform might suggest that the image is from a scene in which a character is looking after a departing train from the tracks. From the still we cannot really guess how and why he got to that specific location in the course of the storyline of the movie. Should this be the actual context of the production and the use of the photograph, the image will not affect us considerably. However, once we learn the truth about the image, our interpretation will change considerably, and so may our emotional reaction. The title of this image is *This Man Is About To Die*, and the photograph appeared on the front page of the New York Post, December 5, 2012. The photographer (R. Umar Abbasi) happened to capture the very moment before the incoming train hit (and killed) the man who had been pushed into the tracks a few second earlier. The use of this image by the photographer and the New York Post generated considerable outrage, as a perlocutionary effect of the photographic illocutionary act performed by producing and presenting the photograph in the context of sales oriented (photo)journalism. It is important to emphasize that the reaction was generated by the photograph *qua* photograph. Producing and using a photorealistic drawing (that even has precisely the same visual properties) could not serve as the locutionary act for this specifically (photographic) illocutionary act. Interpreting the photograph *qua* photograph is an integral component of this act.

4. Photographic Deception and Photographic Illocutionary Acts

Let us turn now to a specific description and understanding of some types of possibly or actually deceptive uses of photographic images. On the basis of the theory of photographic illocutionary acts discussed above, we can now have a precise characterization of how photographs may be used to mislead us, and how it is possible to deceive with photographs in terms of a misleading photographic illocutionary act. First we need understand why failing to represent realistically does not necessarily entail deception, and then we can see under what circumstances photographic illocutionary acts are indeed deceptive.

Let us first consider some visual properties of scenes that black and white photographs represent. Colours, for instance, are represented with the shades of grey in black and white photography. This is a clear case of non-realistic representation; black and white photographs in fact fail to represent colours realistically. Although there is *a correspondence* between the colours of the scene and the shades of greys in the photographs, there is no counterfactual dependence between them. For instance, many shades of red, green, blue and grey are represented by the same shades of grey in the photograph; therefore, it is not the case that a different colour in the scene necessarily results in a different colour in the photograph. In most cases it is not possible at all to tell the original colours of the objects in the photograph by looking at the specific shades of grey by which their colours are represented in the image.

Although on a scale of realism black and white photographs fail to represent colours realistically, unrealistic representation does not necessarily result in deception. Understanding the photographic practice of taking black and white images includes that we also understand that these photograph do not represent colours realistically. They do not deceive us because it is part of the photographic illocutionary act to interpret photographs in the context of their production and use. Knowing about the practice of black and white photography is already sufficient for the proper, modified interpretation; we know that the shades of greys in black and white photographs are not presented to us to convey information about the real colours of the scenes. This suitably modified interpretation process of black and white photographs does not result in deception.[13]

Let us consider another example now. A photograph taken at an important company event shows five people, including John. John, however, is fired from the company a few days after the event. The photo editor of the company newsletter decides that it would not be a good idea to include

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[13] The question of realistic representation is not necessarily raised at all in the interpretation process. In fact, we need to be prompted by contextual or pictorial (photographic) information in order to include in our interpretation some reflections on realistic or unrealistic representation with respect to some types of properties in the photograph. For instance, we simply take black and white photographs as images that do not represent colours realistically without much reflection about why this is so, or without considering these photographs unrealistic.

him in the upcoming newsletter, but this is the only photograph taken at that event. After some deliberation John's image is carefully erased from the picture, and the void is cleverly filled by some suitable background with the help of a photo editing software.[14] Nobody detects the manipulation when looking at the photograph in the company newsletter, and it would take a careful and professional study of the image to uncover its secret.

Now we can formulate it very precisely why our default interpretation will result in deception in this case, and also why we are not in the position to change this default to some more suitable interpretation. While black and white photographs are transparent about not representing colours realistically (we can and do know that the colours of the image do not depend counterfactually on the colours of the scene), this type of manipulation (erasing John form the image) is deliberately concealed from the viewer. The editor of the newsletter and the person editing the photograph do not want us to be able to detect the manipulation; they do not want us to be able to realise that John is missing from the picture. Although some properties of this image (the filled in background where originally the image of John was to be seen) are not counterfactually dependent on the properties of the scene (at the time of taking the photograph), this information is not available to us from the photograph itself or from the context of publishing the company newsletter. In other words, our default interpretation does not (cannot) take this type of manipulation into account, even if we know about the possibility of such manipulations. In this case we have no choice but to proceed with the default interpretation, but that will result in deception. This is precisely what the editor of the newsletter and the person editing the photograph intended.

Some types of images in some contexts are certainly borderline cases or exceptions to the default interpretation. For instance, it is so well known that photographs of models in fashion magazines are heavily manipulated that few people approach them with the default interpretation. We know that the physical characteristics of the models might be considerably altered; therefore we do not assume automatically that the visual

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[14] For a long time during the history of photography, such manipulations were done by analogue techniques. My arguments are not specific to photographic technologies; they apply to both analogue and digital photographic processes.

properties of the images of the models are counterfactually dependent on the visual properties of the models themselves. The default interpretation of photographic locutionary acts may be overwritten, if we know from the context or from the image itself that we should replace the default by some other interpretation.[15]

5. Conclusion

In this paper I have introduced the notion of photographic illocutionary acts as a highly specific type of pictorial illocutionary acts. I have argued, that the default interpretation with which we approach photographic images incorporates our (more or less precise) knowledge about their ontological and epistemic status. That is, I have suggested that photographic illocutionary acts are based on interpreting photographs *qua* photographs. We need to have some reason to diverge from the default interpretation of considering the visual properties of the photograph to be counterfactually dependent on the visual properties of the scene. This is the case with the suitably modified interpretation of black and white photographs, and also in cases when we have contextual or pictorial (photographic) information about specific (digital or analogue) manipulations. We are deceived when we are not in the position of replacing the default interpretation with another, more suitable interpretation. The proposed theory of photographic illocutionary acts accounts for our default interpretation as well as for the possible deceptive uses of photographic images.

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[15] Notice, however, that some photographic genres are specifically excluded form the possibility of approaching them with a modified interpretation. In wildlife photography or in photo reportage it is never permissible to alter the images in the ways fashion photographs are often altered. In these cases even staging (instead of capturing "the spontaneous moment") constitutes deception.

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