EXCERPT

Cons

BY MARIA KONNIKOVA

WHENEVER PEOPLE ASK ME IF I'VE EVER BEEN CONNED, I tell them the truth: I have no idea. I've never given money to a Ponzi scheme or gotten tripped up on an unwinnable game of three-card monte—that much I know. And there have been some smaller deceptions I've certainly fallen for—though whether they qualify as full-fledged cons is a matter of dispute. But here's the thing about cons: the best of them are never discovered. We don't ever realize we've fallen; we simply write our loss off as a matter of bad luck.

Magicians often resist showing the same trick twice. Once the element of surprise is gone, the audience becomes free to pay attention to everything else—and is thus much more likely to spot the ruse. But the best tricks can be repeated ad infinitum. They are so well-honed that there is practically no deception to spot. Harry Houdini, the magician and famed exposer of frauds, boasted that he could figure out any trick once he'd thrice seen it. One evening at Chicago's Great Northern Hotel, the story goes, a fellow conjurer, Dai Vernon, approached him with a card trick. Vernon removed a card from the top of the deck and asked Houdini to initial it—an "H.H." in the corner. The card was then placed in the middle of the deck. Vernon snapped his fingers. It was a miracle. The top card in the deck was now Houdini's. It was, as the name of the routine suggests, an "ambitious card." No matter where you put it, it rose to the top. Seven times Vernon demonstrated, and seven times Houdini was stumped. The truly clever trick needs no hiding. (In this case, it was a sleight-of-hand effect that is often performed by skilled magicians today but was, back then, a novelty.)

When it comes to cons, the exact same principle holds. The best confidence games remain below the radar. They are never prosecuted because they are never detected. It's not uncommon, in fact, for the same person to fall for the exact same con multiple times. James Franklin Norfleet, a Texas rancher, lost first $20,000, and then, in short order, $25,000, to the exact same racket and the exact same gang. He'd never realized the first go-around was a scam. David Maurer describes one victim who, several years after falling for a well-known wire con—the grifter pretends to have a way of getting race results seconds before they are announced, allowing the mark to place a sure-win bet—spotted his deceivers on the street. He ran toward them. Their hearts sank. Surely, he was going to turn them in. Not at all. He was wondering if he could once more play that game he'd lost at way back when. He was certain that, this time, his luck had turned. The men were only too happy to comply.

Even someone like Bernie Madoff went undetected for at least twenty years. He was seventy when his scheme crumbled. What if he'd died before it blew up? One can imagine a future where his victims would be none the wiser—as long as new investments kept coming in.

In June 2007, *Slate* writer Justin Peters decided to be creative about his airfare to Italy. Short on money, he was nevertheless eager to spend a few months out of the country. And he had what he considered a pretty damn brilliant plan for solving the dilemma. He'd buy airline miles from someone willing to part with them, and then use them to purchase a reduced fare. He promptly started scouring the Internet for anyone with a mile surplus. He was lucky. Soon after he began his search, he found Captain Chris Hansen, a pilot with countless unused miles he'd put up for purchase on Craigslist. Peters quickly replied to his posting—god forbid the miles went to someone else. They talked on the phone. Captain Chris seemed knowledgeable and friendly. "Our conversation convinced me that he was on the level," Peters writes. A deal was promptly arranged: $650. A hundred thousand miles. PayPal. Simple.

Except PayPal rejected the transaction. How odd, Peters thought. He followed up with the captain about the error. The pilot was strangely silent.

Peters, however, was desperate. His scheduled departure date loomed ever closer, and still no tickets. So he returned to the hunt. Bingo. Franco Borga, ready seller of miles. He responded promptly

and, of all things, included his driver's license in the response. He was who he said he was, not some Craigslist scammer. A phone call later—a "very nice conversation"—and they were in business. Seven hundred dollars on a Green Dot card, and the miles would be his. (Green Dot cards, a favorite of the con artist, are gift cards that you can easily buy at any supermarket or drugstore. You can recharge them, and anyone with the account number can access the balance—a way to move funds without the hassle of a wire transfer.)

Four days later, still no miles. It was finally dawning on Peters that he might have been scammed. But then, lo and behold, his long-lost pilot resurfaced. He'd been abroad, he explained, with limited e-mail access. But he still had the miles for Peters's use. Victory. Of course Peters still wanted them—especially, he told the captain, after he'd been so callously scammed. Captain Chris sympathized completely. The Internet was a predatory place. To put Peters's mind at ease, the captain then sent him a contract; he was, as Peters had always known, on the level.

PayPal still on the fritz, Peters quickly wired the promised $650.

By this point, everyone but Peters can see how the story will end. Three days, no miles. Four, five, six days. No miles, no e-mails. He had fallen for the exact same scam twice in one week. In this case, he had clear proof of the deception: no miles. But imagine a situation where chance plays a bigger role. A stock market. A race. An investment. Who's to say it wasn't just bad luck?

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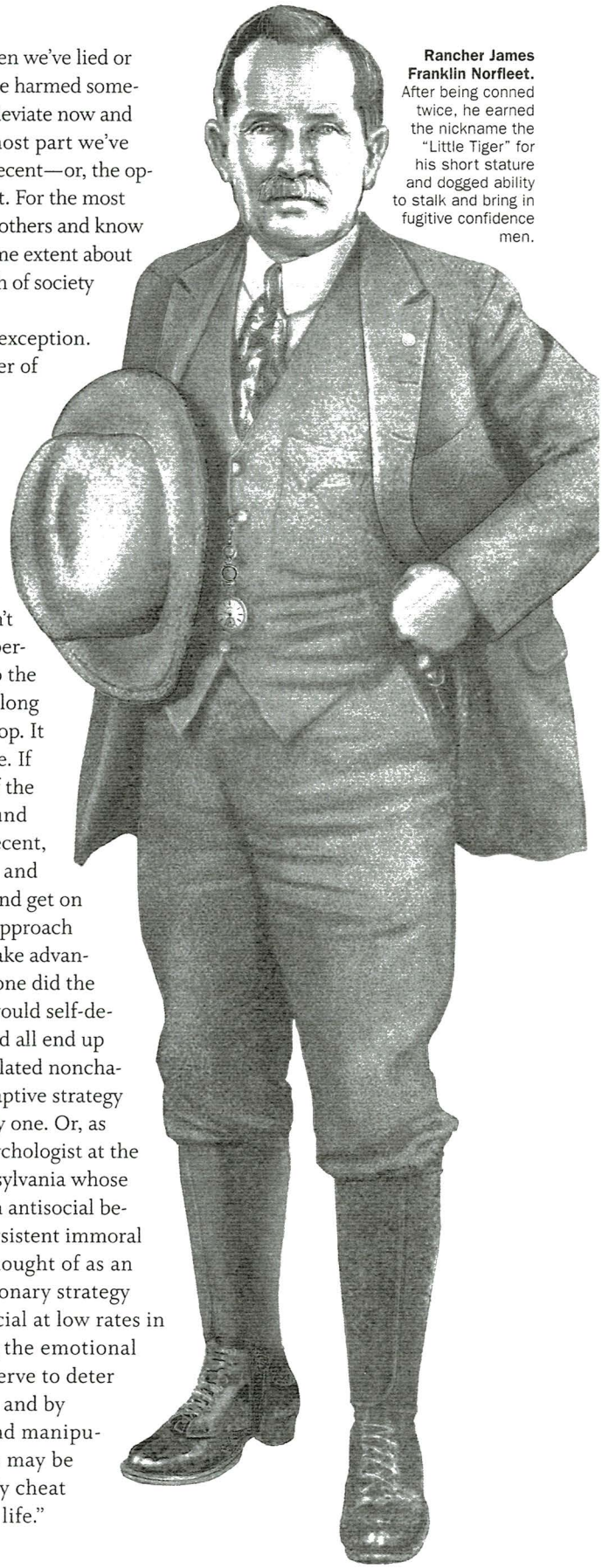
Con artists are evil human beings, with malicious intentions and no conscience. Would that it were so. It would make the world a much easier place to be in. We'd ferret out the bad guys and be on our merry way. The reality, however, is far messier.

In his essay "Diddling," Edgar Allan Poe describes the features of the swindler: "minuteness, interest, perseverance, ingenuity, audacity, nonchalance, originality, impertinence, and grin." Modern psychology agrees with him on one particular point: the nonchalance. For the most part, humans have evolved as cooperative animals. We can trust one another, rely on one another, walk around with a wallet full of cash not worrying that every single stranger will rob us and go to bed with the certainty that we won't be killed in our sleep. Over time, our emotions have evolved to support that status quo. We feel warm and fuzzy when we've helped someone. We feel shame and guilt when we've lied or cheated or otherwise harmed someone. Sure, all of us deviate now and then, but for the most part we've grown to be quite decent—or, the opposite of nonchalant. For the most part, we care about others and know that they care to some extent about us. Otherwise, much of society would collapse.

But there's an exception. A very small number of people may have evolved to take advantage of the general good of others, fueled by the nonchalance that makes many a con artist what he is. These people don't care; they remain perfectly indifferent to the pain they cause, as long as they end up on top. It makes perfect sense. If the vast majority of the people who surround you are basically decent, you can lie, cheat, and steal all you want and get on famously. But the approach only works if few take advantage of it—if everyone did the same, the system would self-destruct and we would all end up doing worse. Calculated nonchalance is only an adaptive strategy when it's a minority one. Or, as Adrian Raine, a psychologist at the University of Pennsylvania whose research centers on antisocial behavior, puts it, "Persistent immoral behavior can be thought of as an alternative evolutionary strategy that can be beneficial at low rates in society. By lacking the emotional experiences that serve to deter immoral behavior, and by using deception and manipulation, individuals may be able to successfully cheat their way through life."



Rancher James Franklin Norfleet. After being conned twice, he earned the nickname the "Little Tiger" for his short stature and dogged ability to stalk and bring in fugitive confidence men.

There's another word for this calculated—inbred, even—nonchalance. Psychopathy, or the basic absence of empathetic feelings for your fellow human beings. It's nonchalance brought to a biological extreme. But do con artists actually fit that bill? Is it fair to say that the grifters of the world are more likely than not clinical psychopaths—or are they just slightly more devious versions of our more conniving selves? Is it a qualitative difference between our small daily deceptions and the wiles of the confidence man, or is it just a simple matter of degree? Is the confidence man, in other words, a category apart—or is it a case of "There but for the grace of God go I"?

Robert Hare's Psychopathy Checklist–Revised, the most common assessment tool for antisocial, psychopathic behavior, looks for things like responsibility, remorse, pathological lying, manipulativeness, cunning, promiscuity and general impulsiveness, superficial charm, grandiosity, and the like. Score high enough, and you are labeled psychopathic, or "suffering soul," for the many such you leave in your wake. One of the defining marks of the psychopath is the inability to process emotion like other people. To a true psychopath, your suffering means nothing. There's no empathy. There's no remorse. There's no guilt. When psychopaths experience something that would shock most people—disturbing images, for instance—their pulse stays steady, their sweat glands normal, their heart rates low. In one study of clinical psychopathy, psychopaths failed to engage the same emotional areas as non-psychopaths when making difficult moral decisions—for instance, whether or not to smother a crying baby if doing so would save the entire village while a failure to do so would condemn everyone, baby included. For the overwhelming majority of people, it's a draining choice. The emotional areas of the brain fight it out with the more utilitarian ones for an answer. In psychopaths, the battle is absent: they exhibit nonchalance in its most extreme form.

Psychopaths, according to Hare, make up an estimated 1 percent of the male population; among women, they are almost nonexistent (though still present). That means that out of every hundred men you meet, one will be clinically diagnosable as a psychopath. But will he also be a born con man?

On one level, the data seem to suggest a direct affinity between the two, grifter and psychopath developing hand in hand. One tantalizing piece of evidence: when people acquire the neural deficits associated with psychopathy later in life, they start behaving remarkably, well, psychopathically—and remarkably like a con artist. In lesion studies, people who experienced early life lesions in the polar and ventromedial cortex begin to show behaviors and personality changes that very closely mimic both psychopathy and the grift. Two such patients, for instance, showed a newfound tendency to lie, manipulate, and break the rules. Others described them as "lacking empathy, guilt, remorse, and fear, and...unconcerned with their behavioral transgressions." Psychopathy, then, is a sort of biological predisposition that leads to many of the behaviors we expect from the confidence artist.

But that's not exactly the whole story. Psychopathy is part of the so-called dark triad of traits. And as it turns out, the other two, narcissism and Machiavellianism, also seem to describe many of the traits we associate with the grifter.

Narcissism entails a sense of grandiosity, entitlement, self-enhancement, an overly inflated sense of worth, and manipulativeness. It sounds, in short, like someone who can't stand to be seen as inferior, who needs to be the center of attention, and who will do what it takes to get there. A narcissist will do what it takes to preserve his image.

But perhaps even more relevant is Machiavellianism—a characteristic that is almost predicated on the ability to deceive, as ruthlessly and effectively as Machiavelli's most ideal of princes and the most famed of confidence artists, both.

In the psychology literature, "Machiavellian" has come to mean a specific set of traits that allows one to manipulate another to accomplish one's own objectives—almost a textbook definition of the con. Writing in 1969, Richard Calhoon, a marketing professor at the University of North Carolina, described the Machiavellian as someone who "employs aggressive, manipulative, exploiting, and devious moves in order to achieve personal and organizational objectives." And, indeed, the so-called high Machs—people high on the Machiavellianism scale, a measure first developed in 1970 by two psychologists who wanted to capture leaders' manipulative tendencies—tend to be among the most successful manipulators in society. In one series of studies, when a high Mach was placed in a situation with a low Mach, he tended to emerge ahead in most any scenario. The low-Mach would let emotions get in the way. The high-Mach, however, wouldn't be as easily disturbed.

In one early review, the Machiavellians among eleven distinct samples, including students, academic faculty, parents, children, athletes, the staff of a mental hospital, and business employees, were

more likely to attempt to bluff, cheat, bargain, and ingratiate themselves with others. They were also more successful at doing so. In another study, the Machiavellian-minded among us made for more convincing liars than the rest: when people were taped while denying that they had stolen something (half were being honest, and half lying), those scoring higher on the Machiavellianism scale were believed significantly more than anyone else. In a third, business school students had to decide whether or not to pay someone a kickback, a behavior that is largely considered unethical (and is against the law). They were all given a rationale for why, in this case, the kickback made sense. Those who scored higher in Machiavellianism were more likely to take the bait when the rationale made it more cost-effective to do so.

Machiavellianism, it seems then, may, like psychopathy, predispose someone toward con-like behaviors and make them better able to deliver on them. Delroy Paulhus, a psychologist at the University of British Columbia who specializes in the dark triad traits, goes as far as to suggest that "Machiavellian" is a better descriptor of the con artist than "psychopath." "It seems clear that malevolent stockbrokers such as Bernie Madoff do not qualify as psychopaths," he writes. "They are corporate Machiavellians who use deliberate, strategic procedures for exploiting others."

So wherein lies the truth: is the con artist psychopath, narcissist, Machiavellian, a little bit of all?

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The truth is, the grifter may be more difficult to capture accurately because, to some extent, we all have the capacity for deception: if you're a sentient being, you've almost certainly deceived at some point in your life. From reptiles to humans, the animal kingdom is full of liars.

And in the human world, deception is no less common. According to psychologist Robert Feldman, who has spent more than four decades studying the phenomenon, we lie, on average, three times during a routine ten-minute conversation with a stranger or casual acquaintance. Hardly anyone refrains from lying altogether, and some people report lying up to twelve times within that time span. In the words of Paul Ekman, a psychologist who studies emotional expression broadly and lying in particular, "Lies are everywhere."

Some lies are small ("You look like you've lost a bit of weight") and some bigger ("I did not have sex with that woman"). Sometimes they are harmless, and sometimes they are not. And we lie from a very young age. In a series of studies with three year-olds, developmental psychologists asked each child to stay in a room with a new toy, by herself, without turning around to peek at what that toy might be. Hardly any child could resist the temptation to look (four out of thirty-three, to be precise), and over half proceeded to lie about having done so. In a follow-up with slightly older children, the five-year-olds fared even worse: all of them looked, and all of them lied.

As we reach adulthood, many of the same habits remain, and at times they take on a more pernicious guise than "You look great in that dress!" According to the Insurance Research Council, a quarter of adults feel that it's fine to increase an insurance claim when they felt they were making up for the deductible. It may seem fine, but it's actually fraud—soft fraud. And what about a slight fudge here or there on a tax return? You might say you're sticking it to the man, and you're certain others do far worse—just look at those corporate tax loopholes!—but each time you knowingly misreport so much as a dollar, you've committed fraud.

Would you be a grifter—even a mild one—if given the chance? Try this short test. Take your index finger, raise it to your forehead, and draw the letter Q. Done? Which way is your Q facing—tail to the right, or tail to the left? The test, described in detail by Richard Wiseman, a psychologist and famed skeptic, is a way to gauge your "self-monitoring" tendency. If you drew the letter with the tail to the left, so that others could read it, you are a high self-monitor. That means you are more concerned with appearance and perception—how others see you. To achieve the desired effect, you are likely more willing to manipulate reality—even just a bit—to make a better impression. Con artists, in some sense, merely take our regular white lies to the next level. Plagiarists. Fabulists. Confabulists. Impostors. They take that desire to shine, to be the best version of something, and they fly with it.

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So could you spot the grifter in a sea of faces, pick him up out of your daily interactions? Are there signs that will give the confidence artist away by virtue of who he is and what he's up to—namely, taking advantage of you? Given that we all have the capacity to deceive, and have all done so at some point in our lives, you'd think we'd be experts in spotting lies in others, at picking the grifter out from the crowd.

Over the years, a folklore has developed around the facial and physical cues that can give someone away—a folklore that has, in recent years, been put to the empirical test. In 2006, Charles Bond, a psychologist at Texas Christian University who has studied lying since the 1980s, assembled a team of researchers spanning 75 countries and 43 languages. His goal: to determine whether there are any universal theories of lying—signs that, to most people, signal deception no matter the culture. In one study, conducted in 58 countries, over 2,300 people were asked to respond to a single question: "How can you tell when people are lying?" One sign stood out: in two thirds of responses, people listed gaze aversion. A liar doesn't look you in the eye. Twenty-eight percent reported that liars seemed nervous, a quarter reported incoherency, and another quarter that liars exhibited certain telltale motions. Just over a fifth thought facial expressions and narrative inconsistencies betrayed lying. And just under a fifth thought that liars used filler words like "uh" and made frequent pauses, and that their skin would flush to signal their betrayal.

A second study flipped the process around. This time, people saw a list of possible behaviors. Which of these, they were asked, did they associate with lying? Now nearly three quarters of the responses signaled gaze aversion, two thirds noted a shift in posture, another two thirds that liars scratch and touch themselves more, and 62 percent said that they tell longer stories. The answers spanned 63 countries.

There are universal folk beliefs, true. The only problem is, they are just as universally wrong. "The empirical literature just doesn't bear it out," says Leanne ten Brinke, a psychologist at the University of California at Berkeley whose work focuses on detecting deception. They persist because they fit our image of how a liar should behave. We want liars to exhibit signs of discomfort, like fidgeting, hemming and hawing, being inconsistent, flushing. We want liars to avert their gaze. They should feel shame and want to hide. Children as young as five already think that shifting your eyes away is a sign of deceit. In fact, if we are told beforehand that someone is lying, we are more likely to see them turning their eyes away from us. But that desire is not grounded in what liars actually do. Just because we want someone to feel ashamed, it doesn't mean they do—or that they aren't perfectly capable of hiding it in any event.

The mismatch between our conception of a liar and the reality—that there's no "Pinocchio's nose," as ten Brinke put it—is surely one reason that, despite our confidence, our ability to tell a lie from the truth is hardly different from chance.

Paul Ekman doesn't just study the prevalence of lying. His more central work focuses on our ability to discern deception. Over more than half a century of research, he has had over 15,000 subjects watch video clips of people either lying or telling the truth about topics ranging from emotional reactions to witnessing amputations to theft, from political opinions to future plans. Their success rate at identifying honesty has been approximately 55 percent. The nature of the lie—or truth—doesn't even matter.

Over time, Ekman did find that one particular characteristic could prove useful: microexpressions, or incredibly fast facial movements that last, on average, between one 15th and one 20th of a second and are exceedingly difficult to control consciously. The theory behind microexpressions is relatively straightforward: lying is more difficult, theoretically, than telling the truth. And so, with the added strain on our mind, we might show "leakage," or these instantaneous behavioral tells that seep out despite our attempts to control them.

Microexpressions, though, are too fleeting and complex for any kind of untrained expert to spot: out of Ekman's 15,000 subjects, only 50 people could consistently point them out. About 95 percent of us miss them—and if we're in the world of virtual con artists, or ones that strike over the phone, no amount of microexpression reading will do us any good. And as it turns out, even if we could read every minute sign, we would not necessarily be any better equipped to spot the liars among us—especially if they are as masterful at their craft as that prince of deception, the grifter.

Even professionals whose careers are based on detecting falsehood are not always great at what they do. In 2006, Stefano Grazioli, Karim Jamal, and Paul Johnson constructed a computer model to detect fraudulent financial statements—usually, the purview of an auditor. Their software correctly picked out the frauds 85 percent of the time. The auditors, by contrast, despite their professional confidence and solid knowledge of the typical red flags, picked out fewer than half—45 percent—of the fraudulent statements. Their emotions, it turns out, often got in the way of their accuracy. When they found a potential discrepancy, they would often recall a case where there was a perfectly reasonable explanation for it, and would then apply it there as well. Their assumptions probably gave people the benefit of the doubt more generously than they should have. Most people don't commit fraud, so chances are, this one isn't, either.

In fact, even when you know exactly what you're looking for, you may find yourself further from the accuracy you would like. In August 2014, Cornell University researchers David Markowitz and Jeffrey Hancock analyzed the papers of social psychologist Diederik Stapel. They had chosen Stapel for a very specific reason. Three years earlier, in September 2011, it was revealed that he had perpetrated academic fraud on a massive level. By the time the investigation concluded, in November 2012, it was evident that data for 55 papers had clear evidence of fraud; they had either been massaged or, in the egregious cases, were completely fabricated. Stapel had never even run many of the studies in question; he'd merely created the results that would support the theory that, he was sure, was accurate.

When Markowitz and Hancock tested whether the false publications differed linguistically from the genuine ones, they found one consistent tell: the deceitful papers used far more words related to the nature of the work itself—how and what you measure—and to the accuracy of the results. If there's not much substance, you "paper" more: you elaborate, you paint beautiful prose poems, and you distract from lack of substance. (Who doesn't remember doing a bit of the same on a college essay, to hide evidence of less-than-careful reading?) But however useful these tools of linguistic analysis may have been, they are far from perfect. Close to a third of Stapel's work eluded proper classification based on the traits Markowitz and Hancock had identified: 28 percent of papers were incorrectly flagged as falsified while 29 percent of the false papers escaped detection. A real grifter, even on paper, covers his tracks remarkably well, and as much as we may learn about his methods, when it comes to using them to ferret out his wiles, we will oftentimes find ourselves falling short.

But why would this be the case? Surely it would be phenomenally useful to have evolved to be better at spotting liars, at protecting ourselves from those who'd want to intrude on our confidence for malicious ends?

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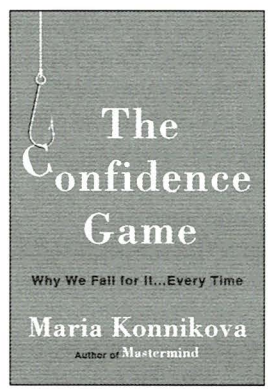
The simple truth is that most people aren't out to get you. We are so bad at spotting deception because it's better for us to be more trusting. Trust, and not adeptness at spotting deception, is the more evolutionarily beneficial path. People are trusting by nature. We have to be. As infants, we need to trust that the big person holding us will take care of our needs and desires until we're old enough to do it ourselves. And we never quite let go of that expectation. In one study, Stanford University psychologist Roderick Kramer asked students to play a game of trust. Some could just play as they wanted, but others were led to believe that the partner they were playing with might be untrustworthy. Our default, Kramer found, was trust. Those students who were specifically told that there might be some wrongdoing ended up paying more attention to possible signs of untrustworthiness than those who had no negative expectations. In reality, the partner behaved in the same way in either case, but his behavior was read differently in the two conditions. By default, then, we read behavior as trustworthy.

And that may be a better thing than not. Higher so-called generalized trust, studies show, comes with better physical health and greater emotional happiness. Countries with higher levels of trust tend to grow faster economically and have sounder public institutions. People who are more trusting are more likely to start their own business and volunteer. And the smarter you are, the more you are likely to trust: a 2014 survey by two Oxford psychologists found a strong positive relationship between generalized trust, intelligence, health, and happiness. People with higher verbal ability were 34 percent more likely to trust others; those with higher question comprehension 11 percent more likely. And people with higher levels of trust were 7 percent more likely to be in better health, and 6 percent more likely to be "very" happy rather than "pretty" happy or not happy at all.

The irony is inescapable. The same thing that can underlie success can also make you all the more vulnerable to the grifter's wares. We are predisposed to trust. Those who trust more do better. And those who trust more become the ideal, albeit unwitting, player of the confidence game: the perfect mark. S



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