

The Ethics of Lying in the Public Interest: Reflections on the "Just Lie"

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Abstract

There is perhaps no more controversial issue in assessing the limits of political and administrative discretion than the question of whether it is ever ethical for a public official to lie in the public interest. While we cringe at the thought of legitimating mendacity by public officials, we have the realistic admonition of Michael Walzer that "no one succeeds in politics without getting their hands dirty." This paper will look first at the defense of official deception as classically articulated by Machiavelli and Walzer. We will then look at the case against lying by officials presented by Sissela Bok and Maureen Ramsay, with a focus on Ramsay's extensive arguments in *The Politics of Lying* against the "just lie" theory. We will finally test the feasibility of the just lie theory by applying its standards to a case study based on actual administrative experience where recourse to deception appears to have achieved a good result.

There is perhaps no more controversial issue in assessing the limits of political and administrative discretion than the question of whether it is ever ethical for a public official to lie in the public interest. While citizens commonly think of politicians as by nature challenged by truth telling, very few would want to concede that officials have on occasion the right to deceive. The burden of lies Americans bear from Vietnam, Watergate, Irangate, Monicagate, and, possibly, Iraqgate, makes us want to erect a firewall against even the temptation for officials to think it is ever legitimate to lie.

However, there are compelling examples of special circumstances that seem to require an official to deceive if the public interest is not to be seriously jeopardized. One such example occurred when President Nixon was about to impose wage and price restraints in order to curb spiraling inflation in 1973. On the eve of issuing his emergency order that would freeze prices and wages he was asked by a reporter if he intended to impose such restraints. If Nixon answered "yes," he would immediately have provoked a frenzy of price rises causing a significant rise in inflation, the very opposite of what were his policy goals. If he answered "no comment," his response would have had the same effect since everyone would conclude he had something to hide. So he answered with the only choice available to him which was "no."

Nixon could be criticized for feeding the public cynicism about honesty in government when he promptly acted to impose the restraints he said he would not. It is argued that a democracy cannot survive with such deception of the public (Bok, 1989). It is also now clear that Nixon was rather practiced in deceiving when it was expedient and his threshold for defining "expedient" was very low indeed. However, one must still consider if Nixon's deception here is not a valid example of the need to deceive in order to protect the democratic system that abhors

the deception of the public. Most commentators have approved of Nixon's deception on the price restraints issue because it was obviously necessary and the public could understand the reasons why it was necessary.

This paper will first consider the reasons for approving deception by officials in a democracy. We will then weigh the arguments against any deceptiveness whatsoever by public officials. Since this latter position necessarily rejects any attempt to advance the "just lie" theory, we will examine whether the just lie theory can in fact be utilized to achieve a compromise between those who miss the corrosive effects on democracy of a too cavalier tolerance of mendacity and the impracticality, even danger, of an absolute condemnation of any deception by law makers or public administrators. In an attempt to test the feasibility of the just lie theory we will apply its standards to a case study based on actual administrative experience where recourse to deception appears to have achieved a good result.

Throughout this endeavor we will be considering whether some form of lying can be defended in terms of ethics, not law. We are interested in whether American public philosophy ought to make certain exceptions in its taboos against lying, not whether the legal system ought to make such exceptions.

The Case for Deception

Almost all commentators on official lying trace the roots of this practice to Machiavelli. Plato is spared paternity of the great lie presumably because he thought the myths told by his Philosopher King were not really deceptions but stories that portrayed truths that simple minds could grasp only through fictitious facts. Machiavelli countenanced more outright deception. He was not a skeptic about whether humans can know the truth but he was a profound skeptic about whether humans in power can say the truth. Machiavelli did not advise deception for reasons of mere expediency but for reasons of necessity:

...a prudent ruler cannot, and must not, honor his word when it places him at a disadvantage and when the reasons for which he made his promise no longer exist. If all men were good, this precept would not be good; but because men are wretched creatures who would not keep their word to you, you need not keep your word to them (Machiavelli (1981) pp.99-100).

Machiavelli saw politics as a deadly serious pursuit. The prince who wants to achieve something, even, indeed especially, if it is in the interest of the people, has so many forces aligned against such change that the prince cannot afford to abide by the rules of ethics that apply in private life. When any person of power tries to change the status quo, Machiavelli would warn, the people who will be harmed by the change, even if they are a small minority, can usually stave off the change because they are more organized, more motivated, more aware of the advantage they will be losing. Those who will gain from the change, especially if they are poor and downtrodden, will support the change only half-heartedly for they have not experienced the fruits of the change and are dubious that there will be any real difference. Anyone who would doubt the currency of this 500-year-old argument need only consider how successful today the N.R.A. is against gun control policies or the insurance industry against universal health care.

Machiavelli has shocked moralists over the centuries by how candidly and casually he reaches dark conclusions: "But one must know how to colour one's actions and to be a great liar and deceiver" (p.100). However, Machiavelli does not see the political leader who lies as a monster or as necessarily at odds with the interests of the people. He follows the sentence just quoted with what he considered a reassuring observation: "Men are so simple, and so much creatures of circumstance, that the deceiver will always find someone ready to be deceived" (p.100).

Machiavelli seems to think that the outrage of political leaders lying to their citizens is greatly diminished by one overriding reality: most citizens do not want to know the truth. We would like to think that Machiavelli is simply self-serving in this discouraging conclusion or at the least that it applied only in his time of greater illiteracy and lack of experience with democracy. But our own political experience again gives at least partial validation to Machiavelli's undemocratic observations. As an electorate we make contradictory demands on candidates to the extent that most are compelled at least to stretch the truth in promising more services and no new taxes. Plain speaking truth-tellers very seldom go far in our democracy. We rant about Congress as an institution and rank the veracity of politicians below that of used car salesmen but we return every two years over 90% of incumbents to Congress. The shock that Americans expressed in hearing expletives and racial slurs on the Nixon White House tapes seems to confirm Machiavelli's point that citizens in general want to believe the best about their rulers and they don't make it difficult for those rulers to create appearances or outright deceptions. Machiavelli would find it odd that people would be shocked that he defends the telling of lies by people in power. To push the case even further, Machiavelli might argue that because leaders are responsible not only for their own well-being but also that of their citizens, they have not only the opportunity and right but also an obligation to become convincing liars.

We need also to appreciate that Machiavelli did not invite his prince to just do whatever he wanted to. He told the prince he could not take the people's property for that would make him hated and hatred would inevitably lead to his downfall. This is no small restraint upon the prince since many princes have seen enriching themselves at the people's expense to be a central part of their job description. Machiavelli, however, is intent on how a leader can preserve and increase power, not on how leaders can feather their own nest.

However, even as we seek to take into account the burdens and dangers that Machiavelli's prince faced and to see how many of his insights still hold true today, we still must note the central flaw in Machiavelli's daring departure from the virtues traditionally expected of leaders. That flaw is the lack of any braking mechanism on official deception and crime such that there might be some proportionality between what was given up and what gained by official deceit and bloodletting. Machiavelli makes a strong case for why the prince must have some exemption from the moral strictures that apply to individuals. He does not deny the validity of those strictures and even says the prince "should not deviate from the good, if that is possible..."(p.100). However, when he completes this sentence with the qualification: "but he should know how to do evil, if that is necessary" (p.101), he reminds us how unqualified the encounter with evil may be. When Machiavelli describes how Agathocles rose to become the King of Syracuse by killing every one of the senators and richest citizens of the city, he displays

a grudging admiration for how thoroughly and quickly Agathocles put an end to problems from rivals, even while he blanches at the scale of his cruelty. Leaving aside the important practical question of whether violence on that scale terminates or creates enemies, we realize that Machiavelli at times is meandering far from the model of the prince who deviates from "what ought to be" with surgical deceit and public approbation.

It is precisely this lack of self-consciousness of how extreme one may become in venturing from what is moral that seems to drive the theory of "dirty hands" articulated by Michael Walzer, the main contemporary theorist who defends the necessity of official breaking of moral codes. Walzer agrees with Machiavelli that an effective political leader must learn how not to be good: "nor do most of us believe that those who govern us are innocent...even the best of them" (Walzer, (1973) p.161). Walzer has no illusions about the virtue of democratic leaders: "the men who act for us and in our name are necessarily hustlers and liars." Walzer is convinced that we would not want to be governed by people who consistently took the uncompromising absolutist" position, but he worries about leaders who accept the utilitarian calculation unreflectively with no sense of guilt about the moral norms they have broken.

Walzer attempts to reject the stiff and unworkable absolutist position without denying the reality of the moral dilemma and a loss of innocence. Walzer describes the case of a good man who is compelled to order the torture of a prisoner in order to learn where bombs are hidden that will take the lives of many people.

Walzer rejects the utilitarian's too smooth acceptance of this torture for it trivializes the wrong of the crime:

when he ordered the prisoner tortured, he committed a moral crime and he accepted a moral burden. Now he is a guilty man. His willingness to acknowledge and bear (and perhaps to repent and do penance for) his guilt is evidence, and it is the only evidence he can offer us, both that he is not too good for politics and that he is good enough. Here is the moral politician: it is by his dirty hands that we know him. If he were a moral man and nothing else, his hands would not be dirty; if he were a politician and nothing else, he would pretend that they were clean (pp.167-168).

Walzer criticizes Machiavelli not for arguing that "when the act accuses, the result excuses" or for insisting that good leaders must learn to do bad deeds. Walzer finds fault with Machiavelli because: "he does not specify the state of mind appropriate to a man with dirty hand." We have no account of the actor's anguish. "A Machiavellian hero has no inwardness."

Walzer faults Max Weber's tragic hero who does evil to achieve good because he surrenders his soul. Weber's hero has inwardness, but leaves the problem of dirty hands entirely within the individual conscience. Walzer insists that morality is social and the tragic hero's suffering needs to be socially expressed:

We don't want to be ruled by men who have lost their souls. A politician with dirty hands needs a soul, and it is best for us all if he has some hope of personal salvation, however that is conceived (pp.177-178).

Walzer settles on Camus's just assassins as his model of innocent criminals. Because the assassins accept their execution for their dirty deeds, they (and we) are forced "at least to imagine a punishment or a penance that fits the crime and to examine closely the nature of the crime." Walzer is admirable in his quest for political actors who are loathe to compromise and yet compromise and are willing to assuage their guilt by punishment. But as he himself acknowledges, "in most cases of dirty hands moral rules are broken for reasons of state, and no one provides the punishment" (p.179). Because moral rules are not usually enforced against Walzer's reluctant rule breakers, "the dilemma of dirty hands seems to exclude questions of degree." Walzer has stressed the importance of punishment to maintain moral equilibrium, but punishment is only internal to the actor with dirty hands and there are no guidelines for assessing guilt. We are left with a crude and ineffective check: "I suspect we shall not abolish lying at all, but we might see to it that fewer lies were told if we contrived to deny power and glory to the greatest liars..."(p.180).

Walzer makes a remarkable contribution in helping us to straddle a midcourse between uncompromising absolutism and a political world with no moral imperatives. He encourages political actors to take taboos against lying very seriously but in the end he abandons them in a search for criteria by which to gauge their temptations and offenses. This incompleteness in Walzer's theory seems to call out for the kind of guidance provided by the just lie theory. That theory appears to centrally address the problem that he acknowledges the dirty hands theory does not:

"questions of degree." At the very least the just lie theory may help society to identify Walzer's "greatest liars" and gauge the excesses of their lies.

In the remainder of this paper we will weigh the attack on the just lie theory by Maureen Ramsay and seek to apply the theory to a provocative case study. This analysis of Ramsay's arguments suggests that the just lie theory has more utility and appropriateness than commonly supposed. The clarity and insight gained from applying the theory to the case study seems to bolster this conclusion.

Maureen Ramsay on the Flaws of the Just Lie Theory

The most substantial recent commentary on lying by public officials is by Maureen Ramsay in her co-authored book, *The Politics of Lying: Implications for Democracy* (Cliffe, Ramsay and Bartlett (2000)). Before turning to Ramsay, however, we should take note of the earlier effort by Sissela Bok to show that the anguish of Michael Walzer is misplaced and unnecessary for there is no need for officials in a democracy to deceive. Bok rejects Machiavelli's and Walzer's realist argument that politics demands deception. She argues that lies on sensitive topics such as the intention to impose wage and price restraints can be avoided by having an established policy that officials will not comment on matters dealing with the economy, national security and other delicate areas. As discussed at greater length elsewhere (Pasquerella, Killilea, and Vocino (1996) pp.1-4), Bok's attempt to protect democracy by avoiding official lying is totally counterproductive. The only reason that lies are not told in her strategy for government communications is that nothing is told. She would have a regime avoid speculation about its refusal to comment

on an issue by keeping the people regularly in the dark about all policies on all sensitive issues, the very information that a citizenry requires in order to live in a democracy. Perhaps because of Bok's conspicuous failure to accommodate the hard realities of politics and a consistent refusal to lie, Ramsay seeks to avoid lying by wishing away the hard political realities.

In *The Politics of Lying: Implications for Democracy*, Ramsay takes on the task of providing a normative evaluation of the justification for lying in politics. Ramsay begins with the definition of a lie as a statement intended to deceive others, and considers two types of Machiavellian arguments in support of lying in the public interest. The first is a straightforward consequentialist argument maintaining that deliberately giving false or misleading information sometimes brings about the best results. The second is based on an appeal to the Machiavellian perception of human nature. Since other politicians are deceptive, retaliatory lies are both necessary and justified for success in politics. In focusing on a consequentialist defense of lying in politics, Ramsay rejects the realist claims that politics is outside of the moral realm. For Ramsay, there is nothing special about politics that would justify applying different evaluative criteria to political actions or require a transcendence of ordinary morality. However, she argues that even if we accept consequentialism as the appropriate theory by which to judge acts of deception and secrecy in politics, these acts will be difficult to justify, especially in a democratic political order. Still, there are many who insist that, at times, national security mandates lies and deceit. When the national interest is at stake, there is a legitimate end that might justify the use of a means that in other circumstances would not be justified. This "just lie" theory, Ramsay claims, is analogous to the "just war" theory. There are legitimate and illegitimate uses of a lie in the same way that there are legitimate and illegitimate uses of force when it comes to conflicts between nations. Ramsay reminds us that according to the theory of just war, wars are justified if they are pursued for a just cause and when they are carried out using just means. Under the just war theory, force may be used only to correct a grave, public evil. Second, the injustice suffered by one party must significantly outweigh that suffered by the other. Only duly constituted public authorities may use deadly force or wage war and it must be done with the right intention. That is, the force may be used only in a truly just cause and solely for that purpose. There must also be a reasonable chance of success. It is not permissible to wage war if this involves engaging in a futile cause or in a case where disproportionate measures are necessary to achieve success. There must also be no other means available to settle the conflict. Force may be used only after all peaceful alternatives have been exhausted. Finally, the overall destruction that will arise from the use of force must be outweighed by the good to be achieved. Ramsay points out that when applied to lying, the justice of a lie would depend on the cause for which it is undertaken, whether there were other means available to achieve this end, whether the harm caused by the lie is outweighed by the good achieved, and whether there is a reasonable chance of success in achieving the end through these means. Moreover, the means would have to be justified, not only because politicians would be acting in our name and in our interests, but because the public would have to consent to the deception in advance in order to comply with democratic principles.

Her criticism of the just lie approach hinges on the following claims:

(1.) There is no consensus on what constitutes a just end, (2.) There is no agreement on the concepts of a national or public interest and the amount of value that attach to these concepts, and (3.) We cannot assume that the public would have consented to being deceived in order to promote the national interest, even if it could be defined. Ramsay argues that once we move from

abstract definitions, the concepts of national and public interest prove too amorphous to justify government secrecy and deception. She admits that "All would agree that vital national interests are involved when there is a direct and acute attack on the physical survival of citizens, when basic democratic institutions are fundamentally and severely threatened, when there is imminent danger of national collapse or economic ruin." (P. 31) Yet, she maintains that the concept of national security, itself, has no generally acceptable meaning. Its failure to provide any clear standard by which to justify government deception adds to the looseness of the concept of just cause, which in turn provides opportunities to politicians to use the concept for private gain. Ramsay's criticism extends to the concept of public interest. Since there is no consensus on how the public interest might be defined, this concept, she claims, is weakened as a justificatory tool for assessing the morality of political theory. Nevertheless, Ramsay, herself, uses the concepts national and public interest in her arguments against lying when she says that telling lies about policy or withholding information can work against both the national and public interest.(P.38) It should be obvious that she is not entitled to reject the concepts of national and public interest as useless on the grounds of vagueness when used to justify lying, but then turn around and use them as justifications for truth-telling and full disclosure. If it is their vagueness that eliminates them from proper use, using them to justify any course of action, including the ones Ramsay wants to defend, is wrong. Admittedly, the concepts of national and public interest are not static. However, the instability of such concepts is not a sufficient justification for jettisoning them. Concepts can be heuristic for purposes of creating and implementing policies. To use Ramsay's approach in other areas of ethical decision making, would surely undermine higher goods. For instance, consider a notable example in the area of medical ethics. A young woman who is dying from leukemia faces the question of whether to have a platelet transfusion during the last days of her life in the likely event that she begins to hemorrhage. She has decided that she doesn't want any heroic measures taken to prolong her life when the burdens of treatment outweigh the benefits, so she refuses the platelet transfusion on the grounds that it would only serve to prolong her suffering. At that point, her doctor asks her to consider the possibility that the hemorrhage might occur in her neck, with the result that she would choke to death on her own blood. The patient decides that if this were to occur, she would want a transfusion. Thus, the same act is considered a heroic measure under one set of circumstances and ordinary treatment under another. The fact that there is no general consensus about what constitutes heroic measures and that using this concept might lead to divergent courses of action depending upon the context doesn't mean that the concept should be abandoned as useless. To do so, would undermine the higher good in this case, which is the relief of suffering for the patient. While vague and open to interpretation, the concept of heroic measures is nonetheless useful in determining the correct course of action. Likewise, in the realm of politics, the concepts of national and public interest may be loose, but to refuse to apply them, we will argue, undermines a higher good at times. The second part of Ramsay's argument focuses on her notion that "even if secrecy and deception could be justified to protect a vital interest, the costs in terms of the toll they take on democratic principles alone could be said to outweigh their benefits." (P. 35) Ramsay contends that the use of lies, concealment and deceit contradict the basic principles of democratic society based on accountability, participation, consent, and representation. Is universal truth telling a necessary condition of a fully functioning democracy? Politicians cannot possibly reveal to the public all of the information that they have at their fingertips. Yet, Ramsay argues, "The idea that politicians can justifiably withhold information from the public, even if this is to achieve a worthwhile and agreed upon political goal renders the requirement of accountability meaningless." (P. 36).

Patently, this doesn't follow. Politicians who withhold information for a just cause are still accountable for using the deception as a last resort, for their judgments that the good that is brought about will outweigh the harm, and for calculating a reasonable chance of success. Ramsay is correct in emphasizing that a consideration of the harm brought about must include the impact on the democratic principles of consent and participation, and the likelihood of undermining trust. The right to know, she suggests, is at the basis of democratic accountability and essential to both effective participation on the part of citizens and representation on the part of public administrators. Thus, deception, places these values at risk. This doesn't mean that the conditions of a just lie cannot be met. In some cases, the ones to which she refers involving a vital national interest, the assumption can be made that the public would have consented in advance to the deception employed. But even in cases where no such assumption can be made, the acts of deception might still be justified if they are done to avert some graver evil and the good consequences outweigh the bad consequences of thwarting democratic principles. In the several examples that Ramsay and her colleagues cite, involving cases like Watergate and lying about the Vietnam War, the deception was done not to promote the national or public interest but to promote personal ambition and protect the interests of the policy makers. There was no just end being sought after and the means used resulted in disproportionate harm. For this reason, these examples offered by Ramsay are self-serving. If lying is never justified in the public interest, then the arguments Ramsay raises about the vagueness of the concepts employed in the just lie doctrine are irrelevant. In order to avoid begging the question, she must take seriously the possibility that the benefits of secrecy and deception might outweigh the costs in both extraordinary and everyday political situations. In what follows, we offer our analysis of one such situation.

Applying the Just Lie Theory

Given how thoroughly and negatively Maureen Ramsay criticizes the practicality of applying the just lie theory, we will now consider whether that theory could be useful in analyzing an actual case study that involved deception by a public administrator. The case is presented by Harold Gortner in his book, *Ethics for Public Managers* (1991).

Gortner describes the experience of David Weathers, a GM-15 contract administrator in the Department of Energy in the Carter Administration. Weathers oversaw contracts relating to preparation for future crises and efforts to achieve energy self sufficiency. He was the steward of highly sensitive, top-secret data that had been yielded very reluctantly by the energy corporations. The companies feared that the data on energy reserves and production might be leaked to a competitor or to a private party who could make large profits on the stock market. The government had assured the industry that the information would be secure. The secret computer codes to the data would be known only to "a few people in the department, the White House, and by those contractors who were currently utilizing the information" (Gortner (1991), p.3). Improper divulging of these codes "carried a very heavy penalty" (p.3).

Weathers discovered that someone on the White House staff had apparently given the access code to a consultant who was not under contract to the Energy Department. "The fact of illegal activity was clear; Dave's problem was to correct the effects of the illegal activity in a way that would allow the program to continue and, at the same time, protect his career" (p.3). Weathers' supervisor was not approachable with problems. He berated and gave negative

evaluations to people who previously brought difficulties to him. Weathers was convinced that the politically appointed superiors above his boss would be no more supportive or responsive and would use him as a scapegoat to avoid responsibility. Weathers could not announce the breach of security publicly because he did not have enough evidence against the consultant. Also, "any public announcement would destroy the possibility of gaining further cooperation from the energy companies—it would prove their worst fears were fulfilled" (p.3). Weathers deeply believed in the program and wanted it to advance to its important goal. Weathers had no success in approaching the contractor to try to get him to admit to having the information. That conversation became a nasty confrontation with the contractor denying the allegation and threatening hierarchical and political retaliation if Weathers did anything. Weathers was even more convinced that this person had the information and even more worried about how the data might be misused.

On the fifth day of this crisis, Weathers reported that the problem was "solved." Bidding on a new set of contracts had just ended, and the contractor had bid on one of the smaller jobs. Though his bid was a few thousand dollars above that of a competitor, Weathers had given him the contract. This is how he explained his curious decision:

Public administration, just like politics, is sometimes "the art of the possible." If the contractor accepts that contract (and he did), he will have to sign the same disclaimer that everyone else does. If he uses any of the information in the data banks in an improper way, I can and will nail him to the wall. It also gives me additional time to verify my strong suspicion of his cheating; therefore I can go after him for an illegal act if it proves necessary....It may not be the prettiest solution in the world, but I believe that it meets the test of working in the public interest. I am satisfied that I have done the best I can in this situation (p.4).

Even though a contract administrator is not always obligated to accept the lowest bid, Weathers is clearly being deceptive here for he has no substantive reason not to award the contract to the highest bidder. Indeed, what he does know of the winning bidder is that he is utterly unprofessional and a knave. What is striking about this case of deception by a public administrator is how removed it is from the analysis of Machiavelli, Walzer, Bok, and Ramsay. Weathers has none of the self promotion Machiavelli would expect, the guilt that Walzer demands, the slippery habit of deception that Bok anticipates, or the manipulation of the public interest Ramsay envisions. While he is prepared to take calculated risks for the public, he is also not the suffering servant of Weber. He seems to be an official dedicated to public goals and to achieving what is "possible." He is not indifferent to his own interests and seems adept at smoothly balancing personal and public ends. Since he appears convinced that his deception in this case is justified, his experience provides a test of the just lie theory and whether it has more feasibility and appropriateness than Ramsay thinks it does.

As we have noted above, Ramsay, in extrapolating from Thomas Aquinas's just war theory, argues that for a lie to be just it would need to be motivated by a just cause, no other means to this goal could be available, the harm of the lie must be outweighed by the good achieved, and there would need to be a good chance of success of the strategem.

Ramsay is convinced that all of these standards, and particularly the issue of the public interest, are "too amorphous to provide clear criteria to justify government secrecy and deception" (Ramsay, p.30). However, when we apply the just lie criteria to the Weathers case, they seem to work well as guidelines and to support his own assumption that his deception was justified. If we take the first criterion of the just lie, motivation, there is no doubt that Weathers' actions are well motivated and that he is pursuing a just cause. It is true that he is concerned about the reputation of his department and his own career, but these issues are sidelights to his driving commitment to protect and foster the energy policy. Where is the impossible haziness and self-serving manipulation that Ramsay thought eviscerates any appeal to the just lie theory? One does not need to broker a generally acceptable definition of "public interest" to conclude that Weathers acts on behalf of a public goal that is important and at risk in this case study. Because some official deceivers will seek to spin the concept of public interest to cover self-serving misdeeds does not mean that the concept is devoid of meaning and that we cannot affirm that an official like Weathers is pursuing the public interest when that is obviously the case. Ramsay shows that standards for the just lie can be manipulated, not that they are invalid and inappropriate in all cases.

Weathers' actions are supported by the other just lie criteria as well. The means Weathers utilizes to corral the errant contractor are certainly proportionate to the threat the contractor poses. Indeed, much of Weathers' satisfaction at the end of this case derives from his conviction that there were no other means available to protect the energy policy and that he was fortunate that the contractor put himself in a place where he could be controlled. Weathers does deceive in ignoring a lower bid that presents no other basis for disqualification. But the harm suffered by the lower bidder is not major since it is a small contract and the bids were close in costs. If we approve of Weathers' actions, a major reason is that what he achieves is certainly proportionate to the minor wound he inflicts on the bidding process and his sense of fairness.

Finally, Weathers' deception is approved by a consideration of its chance of success. He has good reason to think that his unfair awarding of a minor contract will in fact control the threatening contractor. It is ironic that this is the criterion of the just lie that Ramsay seems to consider the least controversial and yet it may be the one that is the most questionable in supporting Weathers. Weathers still has a rogue loose in the White House and the secrecy of the codes has already been breached once. His strategic failure to reveal his suspicions of the first breach could be used against him should there be another breakdown in secrecy. It is possible that an investigation will then center on him rather than the actual culprits. But one can nevertheless conclude that Weathers has a reasonable enough chance of success to say that his deception here can be consistent with both reason and justice.

Conclusion

Machiavelli and Michael Walzer make strong cases that there are times when public officials are compelled to lie to defend the public interest. Machiavelli sees deception as an inevitable part of politics and statesmanship. He may be faulted, however, for setting no conditions or limits on official lying. Walzer seeks a limit to lying in the guilt and punishment a deceiving official should endure for protecting the public by devious means. His theory for responding to the issue of officials' "dirty hands" is attractive in recognizing both the necessity

of political means that veer from the moral standards of private life and the importance of upholding those moral standards and paying a price for violating them. However, that punishment has to be self-imposed and Walzer offers no criteria that might limit extreme or unnecessary deception and connivance by public officials. Sissela Bok and Maureen Ramsay also renege on a quest for such criteria by claiming that official lying is almost never appropriate or necessary. Bok relies on an impractical avoidance of comment by officials to shun lying and Ramsay is convinced all criteria to support a just lie theory are inevitably amorphous and self-serving, Ramsay seems to miss the key point that the just lie theory attempts to set moral and not legal standards. An application of the just lie criteria to the case study of the defensible deception of David Weathers demonstrates the utility of these criteria in assessing the ethics of lies by public servants in at least some cases.