David Schanzer: The distorted ethics of kiss and tell

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Former White House press secretary turned author Scott McClellan has become a hero to some -- a brave truth teller who has done the nation a great service by openly criticizing the style and substance of the Bush presidency.

But by following the recent trend of White House insiders who shortly after leaving office write revealing, critical memoirs of their former employer and colleagues, McClellan has acted unethically and contributed to the corrosive Washington culture that makes effective governance so illusive.

Nine years ago, when McClellan was hired by then governor Bush, he was a 31-year-old nobody. After graduating from University of Texas, he had run his mother’s political campaigns and been chief of staff for a state senator. Like many who wish to enter the world of politics and policy, he chose (as I did years ago) to serve as a staff member to a high-level politician rather than trying to make a name for himself.

Having chosen this route, McClellan gained responsibilities and exposure to important issues of state that he would never have achieved in his own right -- culminating in his three year stint as chief spokesperson for the president.

Yet there is a price to be paid for the staff member -- a promise of loyalty to the politician that hired you.

Such loyalty is critically important because when politicians hire staff members, they are granting them access to the internal workings of their office and even parts of their private lives. Politicians are people, not machines, so their lives and decision-making are influenced and complicated by a host of interests, including constituents, family members and close friends, donors, interest groups, political considerations and, of course, the merits of any given issue. Bringing a staff member inside this world where conflicting public and private interests are weighed and balanced is an act of trust. In return, the politician is entitled to loyalty.

One aspect of loyalty is that staff members give up the right to act upon their own personal policy preferences. Staff members have an obligation to provide their boss with their unvarnished, candid views on every issue. But once a decision is made, their job is to execute the decision, no matter what they think of its merits.

Those who fundamentally disagree with a decision or action and cannot in good faith continue to be associated with that politician do have an option -- they can quit. McClellan apparently considered this ethical course, but put his career interests first. "I did have ... qualms [about becoming White House press secretary]," he said in a recent interview, "but I made the decision that this was a unique opportunity."
Loyalty also encompasses a promise of confidentiality, which is necessary to create an environment where the politician can receive candid advice and engage in debate with his or her advisors. A politician is entitled to a zone in which he or she can speak, express emotions, and think out loud without having those words appear on the front page of the newspaper or on YouTube. If confidentiality is breached, trust is destroyed, and genuine dialogue is impossible to obtain.

In writing his book, McClellan has violated virtually every aspect of private and public ethics -- he betrayed the person who enhanced his career, he exposed discussions that the president had every right to believe were confidential, and he criticized policies formulated while he was part of the administration (that apparently he did not object to until after leaving office).

McClellan’s claim that he has “a responsibility to the American people” to speak out represents a very distorted understanding of his role as a public servant. All public officials execute an oath to protect and defend the Constitution, which means acting lawfully, exposing criminal activity if you observe it and testifying truthfully when called to do so. But staff members do not have an obligation to speak out whenever they disagree with a policy or expose confidential aspects of the decision-making process. As a confidential presidential advisor, McClellan’s “responsibility” was to honor the loyalty that effective government requires, a responsibility he either did not understand or chose to ignore.

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