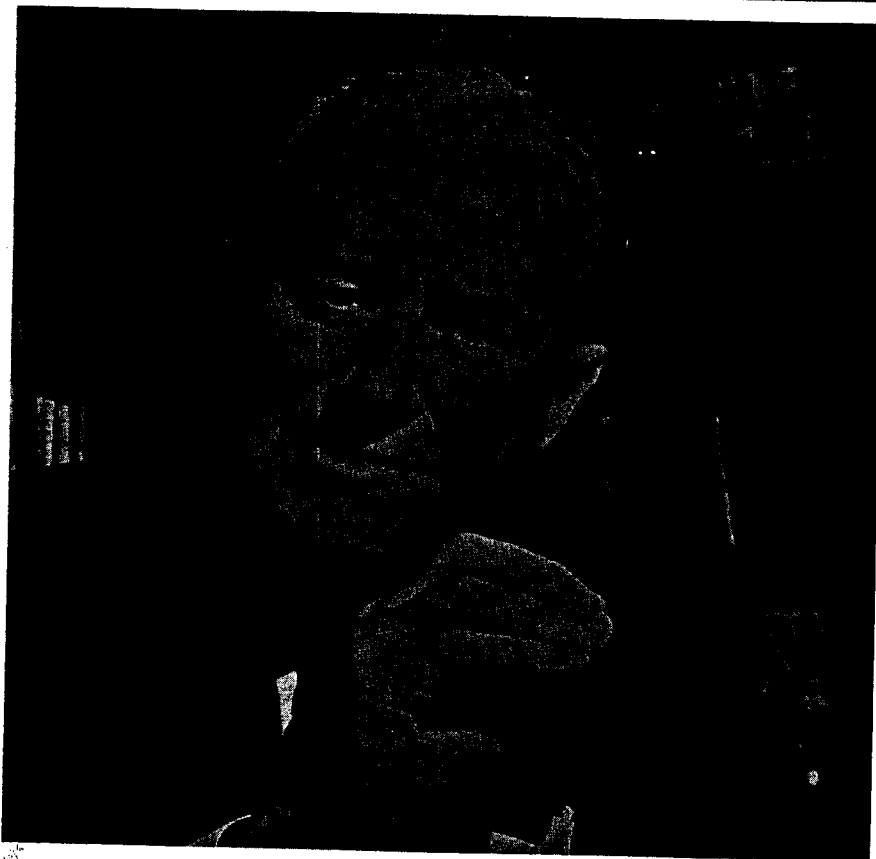


## Speaking Out

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*The author was Assistant Secretary of Defense from 1961 until last February, when he resigned. He is now writing a book about Government.*

# The Government has the right to lie

by Arthur Sylvester

If I had been living in the early 19th century in what was then our country's West, and had been a religious man, I am sure I would have taken my stand with the Lying Baptists against the Truthful Baptists.

The issue that created the two sects arose at Long Run, Ky., in 1804, and posed the question whether a man with three children captured by marauding Indians was justified in lying to the savages to conceal the presence nearby of a fourth child. The Lying Baptists argued that under the circumstances he had the right, indeed the duty, to lie. But the Truthful Baptists shook their heads, uh-uh: Tell the truth and sacrifice the child.

The sects have long since disappeared. But during six years as Assistant Secretary of Defense for Public Affairs I often found the self-righteous

descendants of the Truthful Baptists wandering in the same old moral fog.

As the Defense Department's spokesman I espoused the thesis that the indisputable requisite of a government-information program was that it be truthful. But I also stated that on occasions (such as the Cuban missile crisis) when the nation's security was at stake, the Government had the right, indeed the duty, to lie if necessary to mislead an enemy and protect the people it represented. For months the news industry, and others, distorted my remarks beyond recognition, howling that they were proof the Government was not to be believed under any circumstances. How hypocritical can you get? I know that it's axiomatic that fog hangs longest over the low places, but I can't bring myself to believe that fog alone accounts for the misinterpre-

*One measure of a democracy's strength is the freedom of its citizens to speak out—to dissent from the popular view. Although the editors often disagree with the opinions expressed in Speaking Out, they dedicate the series to that freedom.*

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tation, misrepresentation and downright lying that tarnish the American news industry, written and electronic. I don't know a newsman who has served the Government as an Information Officer who hasn't been dismayed at the evidence of shabby performance by what he used to think of with pride as his profession.

If, as the news industry properly insists, the Federal Government has a complete obligation for truth, you would think the newsmen would abide by that rule for their own first principle. But they don't. As a wit has said, their motto is: "Don't get it right, get it written." Add to this a handout psychology, an incurable desire to prophesy and interpret, plus a failure to ask the right questions. Is there any surprise that much information about Government is misinformation?

Currently the news industry likes to explain its shortcomings by blaming the Johnson Administration for a "credibility gap." Every sophisticated newsman knows the Federal Government puts its best, not its worst, foot forward; after all, the newsman's best friend, his club, his business, his city, county and state government all do things that way. That being so, it is his function to penetrate this protective coloration behind which all men attempt to mask their errors. If there is a credibility gap, it measures the failure of newsmen to do their job.

I was the Defense Department's spokesman during the Cuban missile crisis. President Kennedy was to make the fateful decision to force the Soviet Union to remove its missiles from

Cuba, come what may. The overriding requirement was surprise.

During that momentous week of Oct. 15-22, 1962, President Kennedy interrupted a political tour in Chicago and returned to Washington. The reason given was that he had a cold. I didn't know whether the President had a cold or not, but on the basis of my 37 years' experience as a reporter and news executive, I doubted it. But because the explanation was simple and not easily refutable—who is going to say to the President of the United States, "No, you don't have a cold"?—it was as good as any and better than most of the cover stories I heard in Government. I shudder to think of the flimsy explanations held in reserve to cover some current and vital activities of our Government. But I could be wrong. For six years I watched cover stories go down smooth as cream when I had thought they would cause a frightful gargle. It was well that some, dealing with intelligence, did survive, but some others should have been exposed.

Certainly President Kennedy could not, and should not, have informed news representatives of the true reason he was returning to Washington: that for the first time the United States had proof positive—pictures, plenty of pictures—that contrary to their denials the Soviets had installed offensive missiles in Cuba, and that he was returning to Washington to consult with his

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advisers on how to counter the nuclear threat. President Kennedy was not dealing with some Indians about the life of a child, but with the lives of millions of his countrymen. If he thought the first step in fulfilling that obligation required him to contract a cold, he was joining the Lying Baptists, and so did I, and so be it.

On October 19, after consultation, I authorized a Defense Department release responding to questions about Cuba. The release read:

"A Pentagon spokesman denied tonight that any alert has been ordered or that any emergency military measures have been set in motion against Communist-ruled Cuba. Further, the spokesman said, the Pentagon has no information indicating the presence of offensive weapons in Cuba."

A case can be made that the first sentence was technically correct. But the second sentence was untrue. The man who issued the release did not know that. I did. I knew that some of the Soviet missiles were operational. That meant that nearly the entire U.S. soon would be vulnerable to a sudden strike. I knew the President and the Executive Committee of the National Security Council had decided on a confrontation with Premier Khrushchev and were completing plans for it. I had been alerted that within 72 hours President Kennedy, in a report to the American people, would publicly demand that the Soviets withdraw the missiles and that he would announce the imposition of a blockade.

Newsmen, insisting they speak for the public, have argued that a response of "no comment" can avoid such untruths as our denial of knowledge that the Soviet missiles were in Cuba. But like all general statements, the assertion that Government information must always be truthful requires qualification, because these programs do not and should not operate in a vacuum. Government information may be addressed to the American people, to their adversaries, their friends, to the neutrals, or to any combination of them or to all of them at once. The newsmen's argument that the Government can easily say "no comment" is disingenuous because "no comment" is not a neutral term. Under the circum-

stances of the missile crisis, any good reporter would have been correct in interpreting "no comment" as a confirmation that we knew the Soviet missiles were in Cuba. An alternative would have been to take the inquirer aside and acquaint him with the facts on the understanding that nothing would be printed. Unfortunately that system works only sometimes. Without reflection on the inquirer's patriotism, it was decided not to risk the country's safety, in the name of the people's "right to know" and the Government's duty to "tell the truth." After all, newsmen *are* gabby.

It is really not the missile-crisis type of event that causes credibility problems. Nor does the refusal to discuss intelligence (Continued on page 14)

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(Continued from page 10) activities or new weapons systems, although holding the line on the latter is always difficult due to both industry and military pressures. It is the problems created in the Vietnam war by the absence of censorship and the presence of television that produce difficulties. I have often wondered whether critics think we should have called a press conference on certain tense Vietnam situations that have never before come to light. For example, early in 1964, with Vietnam already a very hot war, more than 600 Air Force F-105 fighter planes were temporarily grounded due to deficiencies in their propulsion system. My guess is that if questions had been raised we would have taken the gamble and leveled with newsmen and asked them to lay off. My experience is that in those circumstances the Pentagon reporters would have honored the request. But some itinerant newsman on the scene might have written the story, just as some itinerant newsmen damaged their country's interest by revealing U.S. Air Force combat planes were flying out of Thailand against North Vietnam at a time when the Thai government threatened to deny us the bases if any publicity developed. Newsmen in Saigon who had been briefed honored the request for silence, only to be beaten by the blabbermouths.

Government officials as individuals do not have the right to lie politically or to protect themselves, but they do always have the duty to protect their countrymen. Sometimes, even apart from military considerations, a pro-

gram may be too tentative to reveal or there may be a question of timing the announcement. Sometimes, and those times are rare indeed, Government officials may be required to fulfill their duty by issuing a false statement to deceive a potential enemy, as in the Cuban missile crisis. I believe the Bay of Pigs was also such a time. But the fact is that this operation was carried on with such ballyhoo that the news media later accused the Government of Madison Avenue publicity tactics. So sensitive to the charge was the Kennedy Administration that it went to the other extreme in the missile crisis.

My personal notoriety as an alleged exponent of the Government's "right to lie" developed as a result of distorted reporting of my answer to one question put to me December 6, 1962, at the end of a two-hour give-and-take dinner meeting of the New York chapter of Sigma Delta Chi, a national journalism society of which I am a member. The news industry, even after six weeks, was still angry over the shutdown of news during the height of the missile crisis, and Jack V. Fox, a United Press-International reporter, asked, in view of my assertion that "the people must be able to depend on what the Government says," what I thought about half-truths, citing President Kennedy's "cold." My answer seemed to uncap hidden, foolish furies; the newsmen mostly flocked to the Truthful Baptists. Mr. Fox's story read: "He [Sylvester] said that the Government must not put out false information, but later added, 'I think the inherent right of the Government to lie to save itself

when faced with nuclear disaster is basic.'" I haven't found another reporter who coupled the rule with the exception as he did. Certainly *The New York Times* didn't. Its headline next morning read, U.S. AIDE DEFENDS LYING TO NATION, and its story began: "'When a nation's security is threatened . . . that nation's leaders are justified in telling lies to its people,' Arthur Sylvester, Assistant Secretary of Defense for Public Affairs, told a press gathering here last night." One need not be surprised at this from a paper that didn't hesitate to attribute faked quotations to a U.S. official in a page-one story of a meeting that hadn't taken place (I happen to know about the fakery since I was the official who did not hold the reported meeting); or put a phony date on a letter that the management tried to suppress because it nailed the paper on one of its untruthful reports from Vietnam (I know about this because I wrote the letter and checked on it later). The *Times* was not alone in distortion. It has had newspaper, magazine, electronic and congressional company across the nation, all adding to the "credibility gap."

In a world of nuclear weapons we can stand more candor and less hypocrisy about the relationship between press and Government. Unfortunately the news industry hasn't caught up with its changed role, much less acknowledged it.

The late Gen. George C. Marshall, who served as both Secretary of State and Secretary of Defense, and was known for his probity, once gave an enlightening dissertation to newsmen on the strategic advantage to the mili-

tary of confusing the enemy by deliberate leakage of misleading information to the press. Former President Eisenhower expressed the idea in simple form during a TV interview with Walter Cronkite who, referring to me, asked General Eisenhower what he thought about the thesis that the Government had a right to lie in behalf of its people when facing a nuclear threat. The former President replied that in times of crisis "you develop elaborate systems of deceit. . . . So you can't just say that in such situations the truth, the whole truth, must be given instantly, because that would be terrible."

President Kennedy got to the heart of the matter when he told a meeting of publishers: "Every newspaperman now asks himself with respect to every story: 'Is it news?' All I suggest is that you add the question: 'Is it in the national interest?'" I would add only that when there is uncertainty whether the national interest is involved, the question to ask is: "Is this something that you, if you were on the enemy's side, would like to know?" I know from reading the Defense Department mail that most citizens—despite all the lamenting about the credibility gap and the Government's right to lie—upbraid the Department for releasing information they fear is helpful to our antagonists. They don't want their children surrendered to the savages merely so that the Government could boast it always told the truth, the whole truth, and nothing but the truth.

*Arthur Sylvester*