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Professional Ethics for Politicians?

Andrew Alexandra

Introduction

In *The Prince* Machiavelli famously claimed that a ruler ‘must learn how not to be virtuous’, adding that he should ‘make use of this or not according to need’.¹ It seems natural to understand Machiavelli here as using ‘virtue’ in the sense of ‘conventional virtue’: clearly, Machiavelli considers that in certain situations some forms of behaviour that are, in general, praiseworthy merit condemnation in a prince, and conversely, action that ordinarily is vicious may count as virtuous for the prince. There is a morality that is appropriate to princes that can and, on occasion, does come into conflict with ordinary morality. When such a clash occurs, the good prince is precisely the one who acts according to the dictates of princely, rather than conventional, morality.

Michael Walzer interprets Machiavelli’s advice as equivalent to the demand that political actors be prepared to get ‘dirty hands’. According to Walzer, ‘a particular act of government (in a political party or a state) may be exactly the right thing to do in utilitarian terms and yet leave the man who does it guilty of a moral wrong’.² Despite the fact that this action will render him guilty of a moral wrong, the political actor should nevertheless do it – he should get his hands dirty.

Roughly, someone faces a dirty hands situation (DHS) when they have to do evil in order to do good. More precisely, someone faces a DHS when the following four conditions hold:

1. They have the opportunity to achieve a morally good end, and they aim to do so.
2. There are means available to them to achieve this end that are normally considered morally wrong (they are ‘dirty’).
3. The use of these means is the best, or perhaps the only practicable, way of ensuring that this good end is realized.

4. The good likely to be achieved by using the dirty means substantially outweighs the evil likely to follow from their use.

The first two conditions often hold: we commonly find ourselves in situations where we could achieve good ends by using dirty means. Furthermore, sometimes such means are the only or best way to achieve these ends, satisfying the third condition. Normally, however, the fact that someone would have had to use dirty means to produce a good outcome discharges them from any obligation to do so; conversely, that a good outcome was aimed at or even achieved does not provide sufficient justification for the use of dirty means. That is, there is at least a strong presumption that good ends do not justify the use of dirty means. This presumption becomes moot, however, when the fourth conditions holds. If someone can save the lives of a number of innocent hostages by making false promises to the hostage-takers, for example, there seem to be powerful reasons in favour of them making such promises. A person who supports their refusal to do so by appeal to the presumption that the end does not justify the means leaves themselves open to a suspicion of ‘rule worship’, of being obsessed with maintaining their own moral purity regardless of the cost to others.

Dirty hands situations thus appear to support the apparently paradoxical claim that there are some morally bad actions that we (morally) ought nevertheless to do. There are at least three kinds of responses to that claim. The first is simply to deny it – we ought not to engage in such actions, whatever the consequences. The second is to dissolve the appearance of paradox. These kinds of actions are, as claimed in the second condition above, normally morally wrong. When we face a DHS, however, they are no longer morally wrong, but rather morally permissible or even obligatory. This reasoning will appeal to a consequentialist, who sees moral rules as simply rules of thumb, deriving whatever normative force they have from their usefulness in helping limited beings like us to act in ways that will produce good consequences. The third response – Walzer’s – is to embrace the paradox. We ought to act in the normally morally wrong way, and that action remains wrong.

While, as Walzer himself points out, DHS can arise in ordinary life, they are likely to arise for holders of certain kinds of roles, in virtue of their occupation of those roles. Recall the first of the conditions for the