

# Politicians Should Always be Punished for Lying?

“In some cases, a man who, though knowing the truth, deposes otherwise, through piety, does not fall off from heaven.” (Manusmriti, Chapter 8, Verse 103)<sup>1</sup>

The ethics of lying dates back over two millennia, with the Hindu *Manusmriti* outlining the nuances surrounding dishonesty— stating that lying is permissible circumstantially, such as to save lives. Modern philosophers, though, like Immanuel Kant, adopted deontological absolutist views on lying.<sup>2</sup> This essay - specifically focussed on democracy-type political structures, where institutional accountability is prevalent, leaving out authoritarian regimes (dictatorships, monarchies) - rejects the Kantian absolutist stance on lies, while concurrently asserting that politicians should always be punished for lying.

## *What is Lying?*

Before analysing arguments around lying and punishment, we must first analyse truth, truthfulness, and lying. Truth as per the correspondence theory championed by Thomas Aquinas,<sup>3</sup> is the alignment of a proposition with reality; truthfulness is sincerely conveying what one believes to be true. Merriam-Webster defines lying “marked by or containing untrue statements.”<sup>4</sup> While this

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<sup>1</sup> Ganganatha Jha, “*Manusmriti Verse 8.103 [False evidence permissible in special cases]*,” Wisdom Library, accessed June 29, 2025, Wisdom Library, <https://www.wisdomlib.org/hinduism/book/manusmriti-with-the-commentary-of-medhatithi/d/doc201010.html>

<sup>2</sup> Helga Varden, “Kant and Lying to the Murderer at the Door . . . One More Time: Kant’s Legal Philosophy and Lies to Murderers and Nazis,” *Journal of Social Philosophy* 41, no. 4 (November 18, 2010): 403–421, <https://doi.org/10.1111/j.1467-9833.2010.01507.x>.

<sup>3</sup> admin, “St. Thomas Aquinas’s Theory of Truth,” *PHILO-Notes – Free Online Learning Materials*, April 20, 2023, <https://philonotes.com/2023/04/st-thomas-aquinass-theory-of-truth>.

<sup>4</sup> *Merriam-Webster Dictionary*, s.v. “lying,” Merriam-Webster.com, 2025, <https://www.merriam-webster.com/dictionary/lying>.

covers active dishonesty, it fails to acknowledge acts of omission, which consists of two broad categories: spinning (selective emphasis of facts to guide interpretation without falsifying) and concealment (deliberate omission of relevant truths). Therefore, lying may demand a broader definition—deception. However, conveying literal truth with the intent to deceive does not constitute truthfulness. Furthermore, a magician—who intentionally deceives their audience—would still not be considered a liar, due to the nature of their deception being artistic rather than epistemic, where the audience does not expect honesty. Hence, lying in this essay is defined as: The act of intentionally epistemically deceiving an entity in a context where truth is communicatively relevant, similar to that of Sam Harris’ in his book ‘Lying’: “to lie is to intentionally mislead others when they expect honest communication.”<sup>5</sup>

Now that we have our definition of lying, why do politicians—those who handle policymaking and generally hold governmental positions—lie? Political lies fall into two broad categories, as described by John Mearsheimer in ‘Why Leaders Lie,’ inter-state (international) and intra-state (national) lies, both of which can be malicious lies (for personal gain) and strategic lies (tool to achieve specific political outcomes).<sup>6</sup>

### *Intra-state lies:*

Malicious lies are often seen during electoral campaigns, often with the motive to mislead the populace into voting for a candidate on false pretences. Boris Johnson's statement, “We send the EU 350 million pounds a week. Let’s fund our NHS instead” depicts how lies can be packaged as promises for politicians’ personal gain.<sup>7</sup> This demonstrably false statement, damaged public trust<sup>8</sup>

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<sup>5</sup> Sam Harris, *Lying* (New York: Four Elephants Press, 2011).

<sup>6</sup> John J. Mearsheimer, *Why Leaders Lie: The Truth About Lying in International Politics* (New York: Oxford University Press, 2011).

<sup>7</sup> “Brexit: ‘£350m NHS Claim Most Misleading’,” *BBC News*, September 18, 2017, <https://www.bbc.com/news/uk-politics-41306354>.

<sup>8</sup> Robert Shrimsley, “The Trust Deficit in Britain’s Damaged Politics,” *Financial Times*, April 19, 2024, <https://www.ft.com/content/9b2e8df1-d18d-4b61-a553-045c7f6489c6>.

and reinforced the idea that politicians can lie with impunity.<sup>9</sup> By increasing apathy due to fallacies such as the hasty generalization fallacy, such lies have been shown to cause mass distrust in government institutions,<sup>10</sup> and can bolster social polarity, eroding civil discourse.<sup>11</sup> Thus, intra-state lies with the intention of personal gain are both morally and politically wrong, hence being harmful.

A key distinction lies between ambition and empty promises. By our definition of lying, if a politician makes a promise which based on their estimates they reasonably think they can fulfil, but due to unforeseen circumstances are not able to, that is not lying, though it may not be the truth. Whereas, as in the incident of Johnson, making empty promises is considered lying.

In contrast, during the 1940 USA Presidential campaign, Franklin D. Roosevelt made a statement, stating, “Your boys are not going to be sent to foreign wars” appealing to the largely isolationist sentiment prevailing amongst the American people.<sup>12</sup> Unfortunately, during Roosevelt's term, Pearl Harbour was attacked, inciting the American forces to enter WW2. Arguably, Roosevelt's statement fits our definition of lying as within days of election, he began war preparations. This shows his deliberate epistemic deception—spinning to downplay war's likelihood.<sup>13</sup>

Yet Roosevelt's deception oddly evoked patriotism among the American people. This is due to the phenomenon of Subtext. Subtext is the subliminal message inferred by the audience when a statement is made.<sup>14</sup> The subtext in context to the Roosevelt example that was explained earlier

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<sup>9</sup> May Bulman, “British Public Still Believe Vote Leave ‘£350m a Week to EU’ Myth, Survey Finds,” *The Independent*, October 31, 2018, <https://www.independent.co.uk/news/uk/politics/vote-leave-brex-it-lies-eu-pay-money-remain-poll-boris-johnson-a8603646.html>.

<sup>10</sup> William A. Galston, “Misinformation Is Eroding the Public's Confidence in Democracy,” *Brookings Institution*, February 4, 2021, <https://www.brookings.edu/articles/misinformation-is-eroding-the-publics-confidence-in-democracy/>.

<sup>11</sup> Nina Jankowicz, “Dissemination of False Information and Societal Polarization,” *Journal of Media Ethics* 40, no. 1 (2025): 1–15, <https://www.tandfonline.com/doi/full/10.1080/19331681.2025.2519053>.

<sup>12</sup> Franklin D. Roosevelt, quoted in *Oxford Reference*, entry on Roosevelt (Oxford University Press).

<sup>13</sup> “Franklin Roosevelt and World War II,” *Carnegie Council for Ethics in International Affairs*, accessed June 29, 2025, <https://carnegiecouncil.org/explore-engage/classroom-resources/short-expert-videos-and-flipped-classroom/002-2>.

<sup>14</sup> *Subtext* entry, Oxford English Dictionary / Merriam-Webster, defines subtext as “an underlying or implicit meaning ... understood by an audience” that must be “read between the lines” to grasp the full message

could be, “We aren’t going to voluntarily send our people to war, though, retaliation may be required.” Hence, his statement could, optimistically, be seen as vague rather than a lie.

Though, this omission, relying on subtext, could be seen as a strategic lie—reassuring citizens while silently preparing for war—an act of paternalism, assuring citizens against war because of the belief it’s in their best interest whilst withholding information.<sup>15</sup> Paternalistic lies, in the long term, can lead to decrease in trust and increases in scepticism and conspiracy theories amongst the general populace.<sup>16</sup> Following utilitarian theory, the lie would be a wrongdoing to prevent greater harm, in which case, prudent lies, while morally wrong, could be considered politically right. Though, the harmfulness of the lie is highly dependent on the outcome of the lie, along with the long term trust a utilitarian lie could obliterate,<sup>17</sup> making Roosevelt’s case highly nuanced.

#### *Inter-state lies:*

Inter-state strategic lies include Israel’s nuclear ambiguity, wherein they are intentionally deceiving other states through concealment, possibly aimed at deterring hostile neighbours and potential pre-emptive attacks while maintaining important relations.<sup>18</sup> Here, strategic deceptiveness is not overtly harmful. However, in cases such as the Chinese government’s concealment of information concerning the origination of the COVID-19 along with its communicative nature, reporting no human-to-human transmission despite contrary evidence, inter-state lying can be highly deleterious.<sup>19</sup> This lie, aiming to avert economic fallout, potentially

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<sup>15</sup> John G. Haskell, “Franklin D. Roosevelt, World War II, and the Reality of Constitutional Statesmanship,” *The Naval War College Review* 77, no. 3 (2024): 45–68.

<sup>16</sup> Matthew J. Lupoli, Emma E. Levine, and Adam E. Greenberg, “Paternalistic Lies,” *Organizational Behavior and Human Decision Processes* 146 (2018): 31–50, <https://ideas.repec.org/a/eee/jobhdp/v146y2018icp31-50.html>.

<sup>17</sup> Cass R. Sunstein, “On the Wrongness of Lies,” *Philosophy and Social Criticism* 48, no. 6 (2022): 823–840, <https://journals.sagepub.com/doi/10.1177/01914537211040252>.

<sup>18</sup> “As it attacks Iran’s nuclear program, Israel maintains ambiguity about its own,” *AP News*, June 24, 2025, <https://apnews.com/article/0090134eb072f2df2523fcd38f0ddd85>.

<sup>19</sup> Mai He, Li Li, and Louis P. Dehner, “Evaluating Incidence and Impact Estimates of the COVID-19 Outbreak from Wuhan before Lockdown,” *arXiv*, July 10, 2020, <https://arxiv.org/abs/2007.07202>.

exacerbated the global pandemic. Here, the strategic lies by the Chinese government were highly harmful.

On the contrary, international malicious lies can almost always be considered to be a net negative. Taking the example of the Falklands War in 1982<sup>20</sup> wherein General Galtieri, the head of the Argentine Junta, intentionally lied to the Argentinians, suggesting that the UK was not in defence of the Falkland Islands, claiming that the land belonged to Argentina. To spark nationalism and preserve power, Galtieri launched the Falklands invasion.<sup>21</sup> This, following the UK's retaliation led to over nine hundred deaths on both sides of the war. Though Galtieri was overthrown, this incident served to depict the colossally negative impact inter-state lies with intent of personal gain can have. It can broadly be said that malicious intra-state lies are harmful regardless of outcome, resulting in global mistrust without having the upside of national security or avoidance of civil unrest.

	Intra-State	Inter-State
Malicious	Boris Johnson - Always Harmful (morally, politically wrong)	Galtieri - Always Harmful (morally, politically wrong)
Strategic	Roosevelt - May be Paternalistic, dependent on outcome	China, Israel - Dependent on outcome

### *How harmful are politicians' lies?*

Thus, the case analysis has led to the conclusion that malicious lies, independent of outcome, are harmful: resulting in outcomes such as mistrust and war. However, strategic lies are more nuanced, potentially being used to prevent greater damage, though at times being used harmfully.

However, the consequence of lies is not as binary as harmful and beneficial. Outside their direct effect (such as war in the case of Falklands), the effect of lies materializes as the loss of trust from

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<sup>20</sup> "Falkland Islands War," *Encyclopaedia Britannica*, June 2025, <https://www.britannica.com/event/Falkland-Islands-War>.

<sup>21</sup> "The Falklands War: why did it happen?" *HistoryExtra*, March 31, 2022, <https://www.historyextra.com/period/20th-century/falklands-war-history-facts-what-happened>.

citizens and foreign entities.<sup>22</sup> Then, they must be judged by the extent of trust erosion they cause, determined by a “Trust Audit.”

This “Trust Audit” mechanism, more specifically, could be run by a third party oversight organisation. In conjunction with a fact checking entity (an organization that deliberates on the factuality of a statement and the intentionality behind it), they measure the “trust cost” of demonstrably intentional dishonesty. Following the exposition of a lie by the fact checking entity, independent polling organizations (CSDS in India)<sup>23</sup> would conduct surveys to measure political trust levels against baseline levels. In parallel, media coverage is assessed using content analysis tools like GDELT,<sup>24</sup> examining both the frequency of reporting regarding the exposed lie, with tools like Brandwatch<sup>25</sup> focusing on the keywords associated with the false statement, and the proportion of negative sentiment compared to a baseline level.

When normalized, in conjunction with the direct outcome of a lie, these measures can be used to determine the severity of the lie. For example, in the Roosevelt incident, though there was a significant “trust cost” (the trust erosion), it was outweighed by a substantial “trust return” (societal trust gain), thus not being negative. Whereas in the Brexit incident, there was a significant “trust cost” with no “trust return,” thus causing massive trust erosion, being more severely negative.

### *Should politicians ever be punished for lying?*

Punishment, following the Kantian Retributive Theory,<sup>26</sup> refers to the intentional infliction of a consequence by an authority in response to a perceived wrongdoing. Following the definition, punishment for saying a lie as a politician could include impeachment, jail-time or less severe

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<sup>22</sup> Kaitlin Peach et al., “Seeing Lies and Laying Blame: Partisanship and U.S. Public Perceptions about Disinformation,” *Misinformation Review*, February 14, 2024.

<sup>23</sup> Centre for the Study of Developing Societies (CSDS), accessed June 29, 2025, <https://www.csdsonline.org/>.

<sup>24</sup> *The GDELT Project*, accessed June 29, 2025, <https://blog.gdeltproject.org/>.

<sup>25</sup> *Brandwatch*, accessed June 29, 2025, <https://www.brandwatch.com/>.

<sup>26</sup> Immanuel Kant, *The Metaphysics of Morals*, translated and edited by Mary Gregor (Cambridge: Cambridge University Press, 1996), Part II: “The Doctrine of Right,”

public disclosures. For example, in democracies like Canada<sup>27</sup> and South Korea,<sup>28</sup> electoral commissions have the power to fine or disqualify candidates for spreading demonstrably false information.

However, is punishment of politicians for lying necessary? Two key theories explain punishments' intended effect: deterrence and restoration. Firstly, the deterrent theory, as purported by Jeremy Bentham,<sup>29</sup> suggests that lies should be punished to prevent other politicians in the future from lying. Secondly, the restorative theory suggests that proportional punishment for a lie offers healing for the victim, being essential in restoring public confidence and trust following a lie.<sup>30</sup> Yet in practice, political systems face hurdles in implementing such ideals, since punishment being severe (relative to the wrongdoing) and certain (high likelihood of execution) for it to have its intended deterring and restoring effect.<sup>31</sup>

Additionally, restorative justice struggles to define fair punishment for something as amorphous as lying. For example, Roosevelt's case might yield different punishments from different judges, as legal theorist Ronald Dworkin points out in *Law's Empire*, "adjudication is interpretive, not mechanical;"<sup>32</sup> judges don't just apply rules, rather construct moral readings of complex social facts, thus delegitimising the punishment by falling prey to the slippery slope of subjectivity. This may materialise in unfair punishment relative to the trust differential, with public scrutiny of subjective decisions potentially undermining restorative aims. Furthermore, subjectivity could lead to excessive punishment, risking a chilling effect in politics,<sup>33</sup> suppressing legitimate,

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<sup>27</sup> *Canadian Constitution Foundation v. Canada*, Ontario Superior Court of Justice, September 2020. Cited in "Can the Government Prohibit the Spread of Falsehoods in an Election?", *Centre for Constitutional Studies*, August 2021, <https://www.constitutionalstudies.ca/2021/08/can-the-government-prohibit-the-spread-of-falsehoods-in-an-election>.

<sup>28</sup> *Supreme Court of South Korea*, ruling on Lee Jae-myung, May 2025. Reported in Hyonhee Shin, "South Korea's Top Court Rules against Presidential Frontrunner over False Statements," *Reuters*, May 1, 2025, <https://www.reuters.com/world/asia-pacific/south-koreas-top-court-rule-presidential-frontrunners-case-election-looms-2025-05-01>.

<sup>29</sup> Geoffrey B. Davies, "Bentham on Temptation and Deterrence," *Utilitas* 21, no. 3 (2009): 260–77,

<sup>30</sup> Francis J. Schweigert, "Moral and Philosophical Foundations of Restorative Justice," in *Restorative Justice: Repairing Communities Through Restorative Justice*, ed. J. Perry (Lanham, MD: American Correctional Association, 2002)

<sup>31</sup> Cesare Beccaria, *On Crimes and Punishments*, translated by Henry Paolucci (New York: Macmillan, 1964), Ch. 27.

<sup>32</sup> Ronald Dworkin, *Law's Empire* (Cambridge, MA: Harvard University Press, 1986)

<sup>33</sup> Dariusz Stój, *Self-Censorship: The Chilling Effect and the Heating Effect*, *Political Philosophy Journal*, October 2024.

ambitious statements, due to the risk of persecution, hence making political communication deliberately vague, potentially leading to bureaucratic evasion.<sup>34</sup>

Moreover, punishing politicians is said, by critics, to be inherently anti-democratic, serving as an infringement to free-speech.<sup>35</sup> Contending that politics is the realm of practical persuasion, it is suggested that voters should be left to their own discretion while interpreting statements and “punish” deception at the ballot boxes. However, this objection relies on a utopian vision of rational voters and transparent campaigns, whereas epistemic deception normalizes deceit. As John Locke, in *Two Treatises of Government*, argued: government legitimacy rests on the trust of the governed;<sup>36</sup> punishing lies with demonstrably extremely negative trust differentials protects one of democracies preconditions: truthfulness.

The “Trust Audit” system minimizes reliance on subjective legal judgments, shifting the interpretation of the impact of lies to objective measures. Due to the objectification of punishment for lying, it could also materialize the deterrent and restorative theories, while concurrently minimizing infringement of free speech. Even seemingly justifiable strategic lies—such as those used in matters of national security—should be met with public disclosures whenever appropriate as this has been shown, to in the long term, prevent erosion of democratic oversight.<sup>37</sup>

### *Always?*

This essay ultimately affirms that all political lies—whether malicious or strategic—must face punishment proportional to their “net trust,” being anchored in erosion of public trust rather than Kantian absolutism. Those who have a large negative trust differential, such as Galtieri in the

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<sup>34</sup> Jonathon W. Penney, “Self-Censorship Under Law: A Case Study of the Hong Kong National Security Law,” *arXiv*, October 20, 2022, <https://arxiv.org/abs/2210.11636>.

<sup>35</sup> Jeremy Waldron, “Lawyer Lies and Political Speech,” *Yale Law Journal Forum*, vol. 118 (2009): 154–161, <https://www.yalelawjournal.org/forum/lawyer-lies-and-political-speech>.

<sup>36</sup> John Locke, *Two Treatises of Government*, ed. Peter Laslett (Cambridge: Cambridge University Press, 1988), Second Treatise,

<sup>37</sup> Stephen Knack and Patrick L. Haggerty, “Transparency and Trust in Government: Evidence from a Survey Experiment,” *World Development* 138 (2021): 105147, <https://www.sciencedirect.com/science/article/pii/S0305750X20303508>.



Falklands War, will face severe punishment, proportional to their wrongdoing. However, for incidents wherein deception was a strategic necessity, or where the lies were largely inconsequential, where trust differentials would typically be neutral or even positive, public disclosures would potentially be more appropriate forms of punishment. This allows for restoration and deterrence by their respective theories whilst concomitantly preserving public trust while avoiding phenomena such as chilling effects, effectively holding leaders accountable not merely for their words, but for the trust they are entrusted to uphold.