

Removing Deniability

Politicians and civil servants are not supposed to lie, break the law, or act against the interests of the public they serve, however it is not against the law for them to be stupid or make stupid decisions. They can defend their mistakes with the excuse "**Sorry, I didn't know!**" so long as they maintain their "**plausible deniability**".

To maintain this **deniability** they must be sure that there is no paper trail that proves that they "**did know**" at the time they approved something. **Removing that deniability** is a cheap and simple way of delaying or **stopping abusive approval processes**.

How can you remove the deniability?

1. You need to write down all the reasons why it shouldn't be approved. List everything you can think of and then sequence them in order of importance.
2. Research your list of reasons (library, internet) to find any official document, law, or prior decision that supports your reasons. Write down everything you find out.
3. Pick out the most relevant reasons that you can back up by quoting an official document, a section of a law, or a prior decision.
4. Write a polite and formal business letter that states why something should not be approved, and in it list these relevant reasons and reference (or quote) the supporting rationale for those reasons.
5. In the final paragraph ask for a written reply to your letter.
6. Address the letter (or letters) to the politicians or civil servants whose approvals are required.
7. Add a "CC" with the name of another interested party who will also receive a copy of the letter (preferably an official in a different department or organization).
8. Have someone proofread the letter.
9. Deliver the letter and the copies.

Done. You have now removed their ability to say "I didn't know". Now they must do some "**due diligence**" prior to giving their approval. If your letter has pointed out how their approval will break a law, and have quoted the section of the law, then approval may be completely blocked by this one letter.

Notes:

1. Never assume that city hall must already know all the facts with which to base an approval upon. Even if they know, they may be under pressure to ignore some facts and approve it anyway. You must **create a paper trail (oral is not good enough)** that proves that they knew your facts **before** they must give their approval.
2. This may not stop the approval, but it will delay it, and will probably lead to a better, less hasty decision which includes a dialog with you.
3. The "CC" is important because it means that they can't say "Sorry, I didn't get your letter". That is also why you ask for a written reply.
4. Your letter must be a precise business letter stating facts, **not** opinions, or passions, or threats, or troublemaking, therefore keep the number of "CC"s to one or two, and not to a lawyer, other levels of government, or to the press (at least for now). If you have CC'd their boss, then be businesslike and re-address the letter to the boss and CC the staff member.
5. When sending an important letter to a town council, send it to "Mayor in Council". With that address it must be copied by the council clerk to every member of the council, and then be entered into the public record of the next meeting.
6. Most of all, be polite !

Simple Example:

Say the bungalow next to you is seeking permission from city hall to add a second story, and you know there is a restrictive covenant on that lot which disallows anything but a bungalow. The City Hall staff who must approve the permit may or may not know about the covenant, but either way the safest thing to do is to warn them in writing that the covenant exists. You must remove their deniability **before** they rubber stamp the permit, for once permission is given the only way of having the covenant enforced is to pay a lawyer to petition the courts.