

## Chapter 2

# Individual Values, Social Pressures, and Conflicting Loyalties

**T**HOSE who study the principles that ought to shape human behavior—we call them ethicists—generally have agreed that unless an individual is free to choose what courses of action to take, there is little point in discussing ethical decision-making. However, that does not allow individuals to ponder ethics decisions in a vacuum, without reference to external influences. Inevitably, various real-world factors enter into the decision-making process.

All of this doesn't invalidate the idea of individuals as moral agents, able to determine their own ethical criteria, directions and behavior. It also does not mean that individuals are *controlled* by any or all of those real-world factors. But it does mean that some of those factors may well have an influence on some people's ethical decisions, either in general or in specific circumstances. Applied, as contrasted with theoretical, ethics often revolves around the tensions created by the clash of individual moral autonomy and organizational, cultural, or societal pressures.

In 2000, capping a four-year research project that included 20 forums around the United States and a national survey of journalists, the Committee of Concerned Journalists identified nine principles that, in their judgment, form the underpinning for journalism. The last of these, which is particularly relevant to this discussion, specifies that practitioners of journalism “must be allowed to exercise their personal conscience” and goes on, in part:

Every journalist must have a personal sense of ethics and responsibility—a moral compass. Each of us must be willing, if fairness and accuracy require, to voice differences with our colleagues, whether in the newsroom or the executive suite.

(Committee of Concerned Journalists, 2000)

While this principle was developed in a journalism context, the idea of a personal sense of ethics which can be maintained in the face of differences with colleagues is a useful one for those in advertising, public relations and entertainment as well. But the omitted questions in the statement of this principle ask whether it is possible to preserve that personal sense

of ethics and responsibility in the face of outside pressures that all mass communicators face in one way or another.

This chapter focuses on those unasked questions: how much influence is exerted on the individual moral agent, under what circumstances may outside factors become important, and whether—and how far—those factors may constrain the individual? John Michael Kittross argues that the individual values of media people are by far the most potent forces in shaping ethical decisions and, thereby, the contents of the mass media and that media people should stick to their ethical principles despite outside pressures. David Gordon responds that economic and other forces in society influence severely the ethical decisions made by media practitioners, even though they may well *believe* that their moral compass remains independent.

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**KITTROSS: Stick to your personal values in making ethical decisions, despite the various pressures that you encounter in the workplace, such as those from media owners, government or advertisers.**

“To whom are you responsible?” is paradoxically one of the most common, most simple-appearing, and yet most difficult-to-answer questions that we frequently run into. Much like the also commonly heard “Do you love me?” one should beware of giving a quick answer. Shakespeare advised, in *Hamlet*, “To thine own self be true, and it follows, as the night the day, thou can’st not then be false to any man.” But, in practice, what does this mean?

Among other things, it means that we must repeatedly test for logic and relevance in our own lives those values we have acquired over years. John Merrill (2007) has written that the

student of media ethics picks up ethical concepts from . . . sociology, psychology, English, economics, biology, et al. And from parents, friends, teachers, television, radio, music lyrics, movies, the Internet, newspapers and magazines, the church and other organizations.

(Merrill, 2007, p. 9)

Such factors have shaped—and continue to shape—the beliefs to which we as ethical actors should remain true.

## **RESPONSIBILITY**

“Responsibility” is a very strong, important word. It covers the higher creative functions of the film director and the social impetus of the industrial or governmental whistleblower. It isn’t identical to the meanings of “obligation” or “debt” or “requirement,” but it overlaps all of them. It differs primarily in its internal aspects: being responsible requires thought,

decision-making, and action, not just obeying orders. In the feature film *The Hospital* (1971), the hero—chief of medicine in a large dysfunctional hospital—turns away from the opportunity to live a full life with a beautiful woman in a remote village and a last chance “to practice medicine again” in order to return to his paper-shuffling post and an existence that is slowly destroying him and everything he once believed in. But as he says to the hospital administrator, as they march back into the hospital through a gauntlet of protestors, striking employees, patients waiting to be admitted to the emergency room, reporters and police, “*someone* has got to be responsible.”

I believe that the key to responsibility is altruism, that is, a regard for the benefit of others without an expectation of reward; in a word, being *unselfish*. “Women and children first” was the generally understood standard of moral behavior when the ocean liner *Titanic* collided with an iceberg. Such priorities made sense when it was impossible to save everyone because of a lack of lifeboats. The survival of a family’s young, and women who might nurture children in the future—in a way, giving priority to the continuation of the human race—was placed above the individual male’s life.

How do doctors, men on sinking ships, and most of the rest of us develop those personal values that enable us to do the “right thing,” even if others might be benefiting at our expense? Do we pay income taxes solely because there are legal penalties if we don’t? Why do soldiers decide to throw themselves on a hand grenade to save comrades? Do we vote solely in our own personal interest? Do we help others solely in the expectation of reward? I don’t think so—and reject the idea that the only purpose in life is to boss others, have fun, collect more “toys,” and accumulate wealth.

Ethics has been construed as virtuous behavior and a component of “what constitutes a good life.” A world in which competition is the only goal wouldn’t be one in which most of us would want to live, even if we were equipped with claws and fangs.

What separates humans from animals, whatever we call it—a soul, a spirit, or something else—seems to be a form of conscious altruism that can look forward into the future. Naturally, like other species, we gain many of our values from our parents and from others whom we observe and otherwise learn from. But humans also can absorb the wisdom others have constructed or collected over the millennia, in religious teachings and dogma, and through both oral tradition and the written word—a medium unavailable to other species.

We can make it easy—the Ten Commandments and the Boy Scout Law (“a scout is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent”) are extremely useful as we learn the values of our society during childhood—even though these words can be very ambiguous. We can make it hard—and spend a lifetime studying a single concept. For example, one of the United States’ most important independent journalists, I. F. Stone—whose *I. F. Stone’s Weekly* was required reading among those who needed to understand power during the middle decades of the 20<sup>th</sup> century—retired so that he had the time to learn Ancient Greek in order to continue his personal study into the philosophical basis of democracy.

Even if one’s immediate goal is to become or train inquisitive reporters or persuasive publicists, thoughtful people understand how these skills can fit within a larger, altruistic framework, that is, the watchdog role of the press or the marketplace of ideas. Such frameworks, in turn, serve notions of human fulfillment such as political participation,

individual freedom, or intellectual engagement. This is a mission to be proud of and it can be informed by long traditions of rationalism and humanistic thought (Armstrong, 2007).

The framework as well as the touchstone of this chapter is responsibility. One level of this concept may be found in the day-to-day habits of obeying orders, accepting the rules of whatever game is being played in home, school, workplace, or the larger society. Another level looks to the goals and penalties of whatever more important or larger game is being played; ultimately the game of life. An employee who shows up on time, does her job, and doesn't interfere with the jobs of other employees is being responsible to employer, co-workers and, presumably, customers. But if she was working for a marketing firm that was busily selling a fraudulent product or service, or with a gang of rogue "celebrity reporters" actually engaged in blackmail, the victims would be hard pressed to find praise for her otherwise responsible behavior. Her responsibility to the society that nurtured and protects her would be missing.

This sort of conflict, between the goals and ethics of an institution, or organization or profession and the morals of an individual or society, is common. An example is that of an officer in the U.S. armed services, who is part of a rigid hierarchal command structure, but nevertheless took a personal oath to support and defend the Constitution of the United States. History tells us that these two levels of responsibility sometimes are in conflict—does obedience to one's superior officer trump the plain language of the Constitution? Or vice versa? The consequences of such conflicts can be severe on the individual, but shouldn't the officer's attention be paid to both obligations?

The interaction between individual values (regardless of how they developed) and social pressures (regardless of how much they have been internalized) are particularly problematic for communications practitioners.

Take a typical reporter, regardless of medium. He has responsibility to, or owes a debt of allegiance to, his supervisors at the station, newspaper, or magazine. They, in turn, have some responsibilities to the reporter—although all too frequently employers seem to think that providing paychecks is all that they owe their staffs (and in a time of economic stress, perhaps not even that—see Chapter 8). Obligation—debt—responsibility all rely on *someone's* value structure.

But the reporter—or editor, account executive, manager, "talent," salesperson, director, camera operator, producer, public relations professional, political operative, blogger or any other job title—is a part of a communications organization that also has responsibilities on a higher level. ("Izzy" Stone was a rare exception, and most bloggers also operate independently and with little reward.) So, whatever ethical decisions are made, by whoever is working anywhere in the mass media, have implications in higher (i.e., more consequential) planes.

For example, while business managers and sales directors tend to think mostly in terms of the "bottom line" for their company (and, likely, themselves), or the fortunes of the advertisers who support that media company, they—and everyone else—need also to consider the beneficial or harmful consequences of their decisions insofar as they affect others. These "others" include the readers and viewers in the audience, the community whose needs for information and entertainment (and jobs) are served by that media outlet, as well as specific groups that are directly involved in the in the situation or event the message is about. To paraphrase John Donne, no media organization is an island; it has its

vendors and suppliers, advertisers and subscribers, workers (from star copywriters to janitors), audiences, and many other connections to the larger society.

This book hasn't ignored the differences between ethics and morals—two words that are often used interchangeably, except by philosophers and others to whom the precision and nuances of language are very important. These words often are defined in terms of one another; “ethical” refers to moral action, motive or character as the first definition in one popular collegiate dictionary. But they can be distinguished: the ethical student says that cheating is wrong, but the moral student just doesn't cheat. To some extent, then, ethics deals with the science of morals or ideal human behavior (especially with respect to conforming to professional standards of conduct). Morals are concerned with both the broader practice and the science of good conduct, with moral behavior being what is right, proper and, to use an older word, virtuous.

These terms have much in common, although in practice ethics usually refers to the purview of a specific group or profession involved, and morality, being the broader or universal approach to behavior, is usually both within the purview of the individual and, to a great extent, the entire society in which she lives. I'm sure that, at the end of a long day, accepting the responsibility of acting *either* ethically or morally isn't easy.

Fortunately for mass communicators in the United States, the information and opinion media have the usually overriding concept of press freedom to provide support for professional behaviors, ethical or moral and occasionally unethical or immoral. As discussed earlier in this book, freedom is only part of the equation that faces each of us with every decision.

What are some of the other aspects of this equation? Responsibility, obligation (different from responsibility in that it is voluntarily adopted rather than imposed from without), authority (the power to do things, or get others to do them), and reward (which may be anything from wealth and power to “feeling good” about something) (Kittross, 2007).

## WHAT IS A CONFLICT OF INTEREST?

Conflicts of interest are one of many triggers for the need to make ethical choices. What are we talking about? The primary interest of the journalist should be to inform the public. But communicators in public relations or advertising have persuasive as well as informational interests to satisfy, and few entertainers would make a living if they didn't entertain an audience. For all of them, however, competing goals—money, fame, associations, ideas—might well lead to a conflict. But if we are lucky, upon honest and sober reflection, we might decide that the conflict is inconsequential—and, better yet, the public (if they learn about it) will feel the same way.

A business reporter who provides valid information to the public that might result in a rise or fall in the price of a particular security is doing her job, but if that reporter also engages in “insider trading,” buying or selling the stock for her own account before publishing the story, that is a clear conflict of interest—as well as being illegal. The path that this reporter should take is well signposted.

There are many definitions of “conflict of interest.” One of the easiest to work with is that of Louis W. Hodges: “A conflict of interest in journalism exists when a journalist's

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“A conflict of interest . . . exists when a journalist’s professional (and professed) duty to serve audience interests is weakened . . . by the journalist’s self-interests or any interests . . . other than those of her audience”—  
Louis W. Hodges

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professional (and professed) duty to serve audience interests is weakened, or risks being so, by the journalist’s self-interests or any interests or obligations other than those of her audience” (Hodges, 2007, p. 113). That definition can easily be adapted to the entertainment and persuasion fields, as well.

Although it isn’t hard to find and use a dictionary definition of both “conflict” and “interest,” these words have more than one meaning. Also, there are at least two major connotations of “conflict” and “interest” applicable to the mass media that may not be found in the dictionary.

First, conflict of interest becomes tied to credibility whenever it comes to the public’s attention. Credibility is nothing more than a reputation for honesty, and is related to the entire question of truth, accuracy, and fairness that is discussed in Chapter 3. (I do not believe that a strict mathematical balance of points of view is a legitimate goal of the media. Among other things, it is rare that there are only two sides to a given question, topic or dilemma, and it is the job of the professional journalist to do much of the weighing of these points of view, not merely to relay them.) Second, as mentioned earlier, the communicator always has a primary responsibility to the audience and the society of which the listeners, viewers and readers are a part, regardless of whether one is serving a national network audience or a few acquaintances via Twitter.

David Gordon and I have argued for years where the conflict-of-interest line should be drawn, but we both agree that there *is* a line—and that it is important. For example, we both agree that there is no excuse for the public harm that results from either extortion or the prostitution that occurs when one lies to the audience about something in exchange for money or other favors. The now-illegal practice of “payola,” where disk jockeys accepted money (and sometimes drugs and sex partners) from music record companies in exchange for playing certain records or tracks, violated the public trust that disk jockeys implicitly or explicitly advertise: that they are using only their best professional judgment and consider only the public interest (or, perhaps, what the public is interested in—unfortunately, a very different phrase) when choosing which records or performances to air. “Plugola”—using one’s access to media production to plug a product or service in the hope and expectation of receiving something tangible in exchange—is similar.

One of the most obvious conflicts arises, day in and day out, when one’s internalized personal values clash with actions stemming from one’s professional position that can produce monetary or personal benefits (or damages). The business reporter who invests in companies he is reporting on. The sports reporter who needs some extra game tickets for her visiting relatives. It is easy to think of other examples where professional roles conflict with personal ones.

The roles of citizen and media professional may often be in conflict—for example, shouldn’t a statehouse reporter be able to run for office in her child’s parent-teacher association (PTA), or a reporter on the police beat become a trustee of the town library? Should news gatherers and processors have *any* public role in politics, including the citizen’s duty to vote? Some would say “No.” Some would ask “Why not?”

These conflicts of interest may be more apparent than real, because a true professional will always give priority to his or her prime professional responsibility—the audience, in the case of the media. Just because there have been occasions when media owners allowed their

non-media financial interests (or civic boosterism) to warp content, doesn't mean that everything published or aired is automatically biased. Indeed, the biases of management might well be balanced by those of the editorial staff—and, even more likely, both are aware of the impact that a known conflict of interest can have on both content and credibility.

But not always. Sometimes the conflicts *are* real and are kept below the surface. In 2007, the Cowles Company was developing a large downtown mall project in Spokane, Washington, and was also publisher of the Spokane *Spokesman-Review*. The Washington News Council—one of the few news councils in the United States—found that the paper, over a ten-year period, didn't investigate thoroughly or in a timely manner the financial structure of the development, and suppressed financial information of importance to decision-makers and the public at large that was potentially unfavorable to the developers. Officers of the company (including legal counsel) and editors of the paper both were involved in protecting the financial interests of the company. (It is, however, to the credit of *The Spokesman-Review* that it helped sponsor and cooperated fully with the Washington News Council's investigation, and published the entire report; see Hamer, 2007.)

Nowadays, when one reads the medical and scientific literature, one sees announcements attached to professional articles that spell out any financial arrangements that helped pay for the research or otherwise might have affected the published results. Disclaimers noting common corporate ownership often appear in some general news media (particularly broadcast news), in situations such as when ABC News reports on something at Disney World (owned by ABC's parent company) or CNN reports on some development at its corporate parent, Time-Warner.

It used to be a bad joke among journalists that they could be bribed by a cup of bad (but free) coffee. Good journalists used to take the cup, but write the story the way it should be written. And they wouldn't accept more expensive gifts—or, to be more exact, bribes. Some employers, media organizations such as the Society of Professional Journalists (SPJ) and the Radio Television Digital News Association (RTDNA), and codes of ethics writers—perhaps mistaking the symbol of free coffee for the reality of bribery or just thinking about the reputation and credibility of their media outlet—have spent many hours debating whether ballpoint pens or free key chains containing advertising should be handed out at journalism conventions. This is akin to debating how many angels can dance on the head of a pin—or, more precisely, where the line should be drawn between social intercourse and prostitution.

It isn't easy to deal with such questions and conflicts of interest, particularly when the temptation to do what is best for one's career is always present. Should one have to flip a coin to choose between being rewarded monetarily, or losing part of one's reputation? This book comes down solidly on the side of a third alternative: don't react without thinking about the issue you are facing. You have responsibilities other than supporting the interests of any group or institution—including, sometimes unfortunately, your employer, your sources, and your family. Think first, analyze the situation, consider the long-term implications of your choices, select the ethical guideline(s) that will best help you navigate through the dilemma—and you will find that even the most complex problems usually become manageable.

## DOING IT RIGHT

In addition to avoiding conflicts of interest, people in the media need to meet other standards. Some of these are journalistic standards, some are dictated by society at large, some are traditional, and—particularly for those who are constructing newscasts, articles and other non-fiction works—some are variations on the age-old question of scholars: “How do we know what we know?” The answer to that question can affect the credibility of the medium as well as of the individuals involved—and have major implications for audience members who act upon the information they receive from the media

Although some reportage or research is dismissed *solely* because of the obvious “smoking gun” of financial or other support—even when the research was done properly—this can be a mistake. If valid and reliable evidence has been collected using honest and transparent methods, and we still dismiss it because we automatically mistrust the people involved because of their connections or past reputation, it creates a dilemma in regard to providing information and ideas to the audience. On the one hand, we can accept information from *any* source and obtained in *any* manner as long as the information itself is valid and reliable—even if obtained from experiments performed on unwilling prisoners or slave labor (as was true under the Nazi regime) or by individuals whose honesty might be questioned, but without proof. Or, on the other hand, we can throw out the baby with the bathwater if there is even the slightest question about the procedures used in getting the information. To make this sort of decision is difficult—but essential. Reporters are not bound by the legal rules of evidence, but this doesn’t give them *carte blanche* to accept information just because it (or the source) is plausible; neither are they expected to mistrust information because of something in the past. The answer? Pay attention to the evidence itself.

## DECISION-MAKING

Each individual working in the mass media needs to consider *all* of those whom our decisions affect, *all* the time. In the media, our output is certain to affect many different groups (news sources and subjects, those seeking entertainment, advertisers and their competitors, the general public, governments, colleagues, etc.)—and, in turn, they affect (or attempt to affect) what the media say and do.

Advertisers are very glad to sponsor popular programs on television, even though from a strict short-term dollars-and-cents viewpoint it often is cheaper for advertisers to buy commercial “spots” rather than actually sponsor a program. As long as any form of advertising is the economic backbone for a medium there will be both conscious and unconscious striving to avoid biting the hand that feeds it. To accept this fact of economic life does not mean that we must always accept the values of those who have their own axes to grind. Consider them, yes—but if, for example, a supervisor tries to impose duties on you in violation of your own standards, your best course may be to resign. (Whether one goes beyond resigning—e.g., going public, whistleblowing, bringing a lawsuit—depends on the situation and your personal values.) This raises other questions: some of the information you

possess may legally belong to your employer, others may be affected by your decision, and the complexity of media operations often renders decision-making very difficult. If you want simplicity, it won't be found in the media's operations!

Although numerous pressures are focused on the decision-maker—the needs, desires, and plans of spouses, family and co-workers, for example—I believe that it would result in chaos if we tried to satisfy at the same instant the goals of *every* group to which we belonged. Indeed, it might be impossible even to list them! We never asked to belong to some groups—family, age cohort, gender and race, for example—although we may be pleased to be part of them. Other groups to which we may belong—based on education, occupation, professional associations or unions, even religions and nationalities—are more under our control. And make no bones about it—*all* of these groups can, do and want to influence those who produce and distribute messages.

Being a journalist or other communicator seems to be like making love to a porcupine—you do it *v-e-r-r-r-y* carefully.

## CONSEQUENCES

Suppose your supervisor/boss/employer tells you to do something that seems immoral or unethical to you after you've thought about it and have applied the "how to" instructions provided in "Tools for Ethical Decision-Making" at the end of Part II. Your response may well depend upon such varied factors as how easy it would be to find a new job should you be fired, whether you think the employer is or isn't making sense, who will be affected by your decision and how, the advice you receive or a myriad of other factors. If you won't be able to put food on the table for your family if you decide against the interests of those who control your paycheck, you will be under a great deal of pressure to decide the other way.

Once we are faced with decisions, it is up to us, as individuals, to use our own knowledge, skill, ability, *and ethical standards* to ensure that we are acting ethically. By the time the reader has finished this book, we hope that he or she will have a pretty good idea of whether Kantian rule-based logic or utilitarian consequence-based logic—or some other of the ethical systems discussed by John Merrill in his overview of the "Theoretical Foundations for Media Ethics"—is most useful in a particular situation. In other words, ethical standards and concepts are very useful "moral tools," helping people with their decisions—but rarely dictating them. As future media decision-makers, as audience members, communicators, regulators, citizens and part of a society, it is up to each individual to make decisions whenever a situation arises that has ethical connotations.

But, at the same time, you have to look at yourself in the mirror every morning—and you must remember that you are a moral agent, intentionally or not, and any consequences of your decision are on your shoulders. Not only your reputation, but also your own sense of self-esteem, of integrity, is at stake.

## PRESSURES

If there is a chance that intelligence agents or the police will swarm over your newsroom, office, or home, you might decide that discretion is the better part of valor and decide to publish only what the government or the most powerful organizations in town apparently desire. This problem of deliberate pressure from those with power affects advertising, public relations, and creative personnel in all media fields who need to have an audience. If the powers that be, or public opinion, are clearly pushing in one direction, it isn't easy—in spite of one's training, additional knowledge, and thought—to advocate (or even mention) other possible avenues of action.

Your supervisor or employer, as a supervisor or employer rather than as a human being faced with the same dilemma you are facing, can easily fall back on the easy answer: *Whatever will make the stockholders in the company happy is good.* This is an ethical point of view, isn't it? The stockholders have invested the money that created the company and your job, and have the right to expect that their investment's return will be maximized.

But there are other people with a stake in that company, and in the actions that you must take when you make the decision. For a public relations agency, these stakeholders include, at a minimum, clients, suppliers, news media contacts, other clients, employees, delivery people and the government. For a public service, such as a newspaper or broadcasting station, there are certainly the readers, listeners and viewers who pay attention to what is aired or printed. For everyone, there is the nation in which they reside, the community or communities served by the media outlets, and the general public or humanity at large. In some cases, as our ability to destroy ourselves or the planet increases, humanity itself is a stakeholder in what is printed or broadcast.

We might expect to be fired or condemned for doing the wrong thing, but how about being fired (or blamed, or attacked) for doing what usually has been thought of as the right thing? Some things as traditional as a news “scoop” must be weighed against the potential consequences. There can be problems when individual considered news judgments are contrasted to the judgments of peers, whether in “pack journalism” (see Chapter 15-H) or examining what the competition has featured that day. Since the same action can be interpreted in different ways, and “right” and “wrong” may depend on the perspective from which an action is viewed, criticism for doing the “right” thing is always a possibility. An “enterprising reporter” to some may be just a “sneaky eavesdropper” to others. You need either to be ready to accept criticism even when it is unwarranted or else to think carefully—ahead of time—about how your actions may be interpreted.

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## THE INDIVIDUAL AND THE STATE

Some stories currently have “legs”—they have been in the public eye for years—but every week can bring new ones. Arguments still rage over Watergate, the Pentagon Papers, treatment by the United States of prisoners at Abu Ghraib in Iraq and Guantanamo in Cuba, warrantless wiretapping by the National Security Agency (NSA), and President George W. Bush's military service record. On one side, there is the administration exercising executive

power in Washington at the time. On the other side, there are those who published information about these events. In the background, are national divides over political parties, the Vietnam War and the post-2001 “war on terrorism.”

Things change, of course. Germany was a totalitarian state under Hitler, and a democracy today. This means that governmental powers, privacy, and the rule of law were very different during the Third Reich. Few nations have been unaffected by time.

An American reporter is both an American and a reporter and, if working in another country, a resident alien. In each role the reporter must decide what is acceptable conduct based on the set of ethics that he or she believes must be followed.

This is also the case in other countries. The head of the news division of the Liaoning (China) provincial Propaganda Department was quoted as saying:

For some social issues, reporters can do their own investigations. But in cases of serious incidents, government departments should do the work. If reporters can do investigations on everything, then what is the use of government departments?

(Cody, 2007)

In the United States, interpretations of the First Amendment abound, but there is a continuing struggle between government and the media. In the United Kingdom the system is different, with an Official Secrets Act and strict rules against publishing most news (or speculation) before criminal trials. In fact, not only are the more than 150 countries in the world different, so too are the 50 states in the United States with respect to matters such as privacy. Laws, while powerful, are not universal.

It is awfully easy to ignore ethics from both ends of the matter. As mentioned above, one method is to bear in mind only the written or unwritten goals of those higher in the hierarchy—one’s employer or the government, for example. To use a lesson from the Christian Bible, we should “render unto Caesar the things that are Caesar’s, and render unto God the things that are God’s”—although, unfortunately, there are few guideposts for determining which are which.

Another approach is to join with one’s peers, colleagues, or neighbors in whatever is happening. The first alternative abandons all pretenses of individual responsibility to think about ethics, and the latter leads to everything from lynch mobs to the “Blue Flu” excuse for job absences by forbidden-to-strike-by-law police officers when arguing for higher wages. *Neither* of these approaches, followed rigidly, is likely to improve the society at large.

## CONTENT

The fact that President Franklin D. Roosevelt’s mistress was staying with him in Warm Springs, Georgia when he died just before the end of World War II, wasn’t covered as part of the story of the death of the longest serving president. By contrast the Monica Lewinsky affair led to the 1998 impeachment of President Bill Clinton and occupied front pages, network newscasts, and cable talk shows for many months. (It should be noted that when a television newswoman reported in 2007 that the Los Angeles mayor and his wife had split,

it turned out that one reason for the separation was an affair the mayor was having with that reporter, who was promptly suspended and later left the station. The mayor remained in office.) The physical effects of President Roosevelt's polio were generally ignored by the press, but, in recent years, information about the health of every president has been disseminated in the most excruciating detail by the avid media.

Today—helped by Members of Congress, governors, and others whose sexual dalliances inform the discussion of their “character”—there is almost no detail that is off limits in news, entertainment, and advertising. Former presidential candidate Sen. Bob Dole, after he left the Senate, appeared in Viagra television advertisements containing medical details that would have been taboo in “family media” only a few years earlier. Sen. Hillary Clinton's cleavage still had the power to create a political furor in the media early in the 2008 presidential campaign, and a little later Gov. Sarah Palin's sexual “hotness” became a staple of news coverage.

## NEWSGATHERING

One journalistic standard deals with the ethics of reporting. This standard is analogous to the strict adherence of some courts to the “fruit of the poisoned tree” principle that encourages police to follow the Constitution: if a search warrant or reason for an arrest were invalid, any information gained as a direct or indirect result would be inadmissible in court. In recent years, if a reporter should do something considered improper in reporting an important story, some newsrooms might refuse to carry the story, no matter how important it is. These examples of self-regulation (which aren't universal) are sometimes the result of fear of legal action and sometimes a consequence of the growing number of attacks on the press by politicians, commentators and members of the public.

Nellie Bly (the pseudonym of one of the earliest female news correspondents) in 1897 lied her way into a mental institution, and her paper published a scathing—and avidly read—expose of conditions “from the inside” that led to much-needed reforms. By contrast, in the late 1990s, the courts and the public agreed that it was unfair for two ABC reporters to get jobs inside a food processing plant in order to expose unsanitary conditions. This story (the Food Lion case) was aired—but most of the benefits went to the lawyers. In another case, the public never got the full story about President Bush's Air National Guard service because one source was invalid in CBS's coverage of Bush's record. News producers and supervisors were fired, and long-time CBS anchor Dan Rather “retired.” But the important result was that the public, supplied with pages and hours of news about CBS's peccadilloes, had few details of how the Bush family had pulled strings to get George W. Bush into the Air National Guard when he might otherwise have had to go to Vietnam, that he hadn't fulfilled all of the normal requirements for service, that all sorts of records were missing, and so on. (*The Boston Globe* was an exception: it did its own extensive reporting of Bush's military record.)

Similarly, Procter & Gamble's efforts to secure the supposedly “private” telephone records of several million people in the Cincinnati area were completely overshadowed by outrage (stimulated by P&G, of course) over a reporter's successful attempt to gain access to P&G's internal e-mail. Unlike the Bush story, which was straightforward reportage using

interviews and government documents, P&G owned the e-mails in question and there was no inherent right of the reporter to obtain and publish them. It is ironic that P&G's desire for the telephone records was to discover which employee whistleblower had alerted the news media about a corporate decision of public interest. (See Chapter 10.)

It is interesting how simplistic, even erroneous, views are adopted. For example, many lawyers, including some of those specializing in libel cases, are surprised when told that the media do not have an iron-clad rule that all facts supplied by anonymous sources must be verified by a second source. They probably think this because they generalized from such a rule adopted by Bob Woodward and Carl Bernstein (and their editors) when reporting the Watergate break-in and cover-up that had massive ramifications for the Nixon administration—and led to a best-seller book and a major motion picture, *All the President's Men* (1976).

Other oversimplifications and errors probably have worse consequences. Large and small newsroom managements alike are arguing that reporters should avoid even the most innocuous appearance of impropriety, and consider the acceptance of small, inexpensive gifts or even a cup of coffee or a beer from potential news sources to be evidence of serious wrongdoing.

## STANDARDS

Each media practitioner needs to develop her or his own moral standards, and simple and easy actions and answers aren't likely to be the best ones. The photojournalist who snatches a photo from a suspect's home because the police allowed the photographer to be present while a search or interrogation was being conducted is guilty of theft—regardless of whether his or her editor is pleased with the result.

Practitioners should also consider (and possibly adopt) those ethical standards that have been promulgated by professional associations such as the National Press Photographers Association or constructed in bull sessions held with colleagues who collectively know many of the problems that a filmmaker or videographer or reporter or other media person will surely face. But these are created by committees or informal groups, and the resulting camel may not look like much of a thoroughbred racehorse. Clifford Christians and others have been working on a description of basic “protonorms” that can be applied to the media. Whether general (Kantian) rules—do not lie, cheat, steal, etc.—may work in this field is uncertain. Each of us has to walk this road by ourselves.

There are many techniques for developing one's own set of ethical standards. Barbara Brotman (1993) once posed some very simple questions starting with “Is it ever acceptable. . . .” For example, is it ever acceptable for media people to deceive potential sources about one's professional identity or intentions; to steal documents, photos or other material, or to copy them without first asking permission; to re-create or stage an event; to accept gifts, tickets, or other freebies; to seek or give special treatment for themselves, their families or causes they favor; to violate laws such as speeding and parking regulations? Some might say that the answer to all of the above questions is that it *never* is acceptable to do such and so. But such an overly simplistic answer sometimes may make little sense. Suppose the only way

one can review a sold-out concert is to be given a ticket? What if it is necessary to overstay at a parking meter to cover an important story? Or to blend into a crowd by pretending to be a member of it? Remember: most reporters—and the authors of this book—believe that their primary responsibility is to provide the public with the information it needs in order to make rational decisions in a democracy.

Obviously, the answers to Brotman-type questions require some thinking about each individual instance, because reporters probably would be remiss if they couldn't dream up at least one case where the simple answer is inappropriate. And people in the entertainment industry routinely re-create events. But behavior such as blocking fire department access by parking next to a fire hydrant is placing a story above protection of the public. The standards used by media people might come from their schooling, their reading, or informal chats with colleagues—one of the advantages of belonging to a professional association—or their parents, religious upbringing, or other source. We all can learn life's lessons by being observant. But to be useful, the ethical standards to be employed in responding to a question involving ethics must be internalized to the point where they can be drawn from one's memory without difficulty. When faced with a deadline, there isn't much time for further study of ethical principles.

Many years ago, in an award-winning television program, *The DuMont Show of the Week*, a long documentary about two underpaid and overworked members of the New York Police Department ended with the voice-over narrator reminding us that, in spite of having to do all the “dirty jobs” in their precinct (such as picking up dead bodies because they drove a station wagon rather than a squad car) and filling in where others might find a reason for not doing a cold, boring task, “they sleep well nights, and never have to ask why they were put on this earth.” With those words, even an unobservant viewer realizes that everything that these policemen did—from directing traffic, to helping an old lady home with her groceries—was to help someone else.

Sleep well.

### KEY POINTS

- Media practitioners need to develop their own set of moral standards, and simple answers aren't likely to be the best ones.
- Altruism (unselfishness) is the key to responsible action.
- True professionals will always give priority to their primary professional responsibility in instances of conflicts of interest.

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## **GORDON: Sticking to your personal values is a worthy but unattainable ideal, in view of the social, economic, and political forces that often run counter to individuals' ethics.**

In the abstract, I agree completely with John Michael Kittross that media practitioners should ignore all outside forces and remain true to their personal sense of ethics and responsibility. I just don't believe this is possible in view of the myriad pressures that impinge on decision-making in the media industries.

People working in the entertainment, persuasive and news media may think they are acting independently in determining the content they produce. But in fact, experience argues that those individual decision-makers are *not* free to act based only on their own ethical values (or lack of them). There is considerable evidence—both anecdotal and empirical—to the contrary. It appears that decisions at key points are influenced heavily—and, in some cases, are dictated—by various cultural, political, social, audience and, especially, economic forces whose operation prevents individual communicators from exercising anything resembling complete moral autonomy.

The most powerful and important of these economic forces are discussed in detail in Chapter 8, so I will mention some of them here only briefly. Instead, I will focus more on the social, political and other constraints that can become at least as important as ethical beliefs and guidelines in determining how an individual will act or react, and to whom or what that individual ultimately feels responsible. To take just one possible factor, ponder the possible impact of demands for “political correctness” in the ads you're being paid to create, or in the film you want to make, and how those demands might impinge on the way your ethical values influence your work.

## **AUDIENCE, ORGANIZATIONAL, AND SOCIETAL CONSTRAINTS**

One need look no further than problems posed by “getting too far out ahead of your audience” to realize that mass communicators are rarely able to act with complete moral autonomy. This is true whether one looks at the news and information component of the mass media, the persuasive communication segment, or at entertainment content. Gatekeepers in all of those areas must take into consideration what their intended audience will pay attention to, not just some idealized version of what that audience “needs.” The concerns of various subgroups within the general target audience can complicate even further the question of to whom those gatekeepers owe responsibility.

I'm not endorsing a “lowest common denominator” approach to content, but when the interests of the audience—or major components of it—don't match what *you* think is important or necessary, you'd better take a gradual approach toward persuading the audience that they *should* pay attention to content you think matters. Otherwise, you'll find yourself without an audience, and all the autonomy in the world won't help you—or your media organization—then.

Kittross advocates an altruistic approach and suggests that it is the key to being a responsible mass communicator, indeed, a responsible human being. But no matter how altruistic journalists—or anyone else in the media—may be, they must pay attention to the size, interests and reactions of the audience and the many types of people and groups that it includes. Ratings, subscriptions and circulation, single-copy or single-play sales, and movie attendance all have a direct impacts in our primarily profit-driven media system on how media content turns out, as does such direct feedback as complaints to the editor, general manager, or advertiser. If an altruistic approach to the media product engenders serious resistance from the intended audience, either the altruism or the individual exhibiting it is likely to be gone quite soon. What often happens is that the ethical framework of media workers takes second place to the likes and dislikes—and on some issues, the ethical concerns—of the media audience, the advertisers trying to reach them, and at times the media decision-makers who are keeping the advertisers' concerns in mind.

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Altruism isn't the only quality in media people that may be severely constrained by outside forces. Independence is another

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Altruism isn't the only quality in media people that may be severely constrained by outside forces. Independence is another, particularly as economic factors become more and more important in all aspects of the media business. Autonomy is reduced in large media organizations, and economic factors are increasingly producing such large media organizations. As Weaver et al. (2006) note, many journalists have left chain-owned or group media organizations because they didn't want to see their independence and autonomy threatened. But what of the media people who don't or can't make such a career change? It is reasonable to conclude that by opting to stay rather than to leave such situations, they are giving up some of their moral independence in trade for the benefits derived from their job.

Internal organizational norms and customs may exert negative as well as positive influences on individual moral autonomy. A classic early study by Warren Breed (1955) found that the newsroom culture was usually sufficiently strong to socialize new reporters into the established way of doing things, at least on the medium-sized papers included in his study. Nearly 20 years later, an in-depth study of the overall operation of a major newspaper—widely believed to be *The New York Times*—indicated that an organization's internal dynamics might be at least as important as economic pressures in regard to impacting individuals and their ethical independence (Argyris, 1974).

I'd suggest, though, that the internal structures and organization of media institutions are still important factors that can muffle individual moral autonomy and responsibility. Bill Kovach and Tom Rosenstiel of the Project for Excellence in Journalism put it very well in a book that grew out of the 1997–2000 research study by the Committee of Concerned Journalists:

Routines become safe havens. This occurs because news organizations—with their business, community, production, and other interests—are complex and hierarchical. It becomes easy to fall into a process of what might be called cascading rationalization, which can undermine and discourage acts of individual conscience.

(Kovach and Rosenstiel, 2001, p. 189)

Although the authors were focusing on journalism, their observation would seem to have considerable validity for almost any mass media organization. Certainly, all but the smallest

public relations agencies could fall victim to the same cascading rationalization, for the same reasons, as could larger entertainment-oriented companies and advertising agencies.

Another type of internal pressure can come from technological changes. Throughout media history, new technologies have put pressure on the gathering and dissemination of news. The “deadline every minute” competition between wire services was an early example, and is echoed by pressures for instantaneous news on the Internet. The quicker and more frequent deadlines mean less time for ethical concerns to surface and more need to “go by the book”—or by “how it’s always been done here”—in putting stories together, rather than allowing journalists to make ethical awareness part of their story preparation process. The same concerns about deadlines trumping ethics are reflected in the growth of 24/7 cable and radio newscasts and their insatiable appetite for current stories—and those capable of reporting them.

This situation can lead to repeating and sensationalizing stories that, on later reflection or with time to weigh ethics questions before deciding to publish or air a story, might have merited much less play than they received. This has exacerbated the news media’s fascination with human-made and natural disasters, ranging from hurricanes and earthquakes to particularly gruesome accidents to the 2009 news coverage devoted to swine flu. The coverage has often given such events more exposure than their actual impact on the public would warrant.

Admittedly, it is difficult to strike a “proper” balance in covering these kinds of stories. But keeping in mind Rawls’s concern for protection of the weakest parties and Aristotle’s “middle ground approach” would serve journalists well, perhaps seasoned with a dash of the utilitarian focus on the greatest good for society.

## **POLITICAL AND GOVERNMENTAL PRESSURES**

Although the First Amendment theoretically guarantees the American mass media the freedom to operate without political interference, the specter of government regulation or influence can’t be ignored. Kittross makes this point very well for me with his example of federal agents potentially swarming over a newsroom, an occurrence that could well influence the denizens of that newsroom to follow the government line.

Broadcasting has historically been regulated far more than print, going back to the early decades of radio. The Federal Communications Commission’s late (and occasionally lamented) Fairness Doctrine, adopted in 1949 (13 FCC Reports 1246), exemplified how governmental and political systems can impinge on mass media ethics and values. Most broadcasters would certainly have agreed, at least in the abstract, with the idea of “fairness” as an ethical principle. But their ability to interpret what “fairness” means and how it should be implemented were constrained when the FCC adopted and applied—“enforced” would certainly overstate what actually took place—a fairness principle on all broadcasters in regard to “controversial issues” and personal attacks.

Content rating systems have long had a similar impact on several mass communication industries. The first film code, dating to the early 1930s, resulted from a combination of public concern over perceived immorality in Hollywood itself and in its films; fear of

possible federal regulation; and pressure (including boycott threats) from the Catholic (National) Legion of Decency. This movie code was followed by more recent examples in the television and recording fields. These industries have generally (though not always) agreed to follow the codes' dictates in part because of their fear that the government might step in with stronger measures if these "voluntary" codes were disregarded—clearly, an external influence insisting that someone other than media people exercise moral autonomy and define what "responsible" means.

## **PRESSURES DURING THE MCCARTHY ERA . . .**

Among the most frightening and most effective examples of (heavily) "raised eyebrow" governmental and political constraints on media gatekeepers were the results of the investigations by the House Un-American Activities Committee (the infamous HUAC) of alleged Communist influence in Hollywood, in 1947, and again in 1951–52 when Sen. Joseph McCarthy's anti-Communist crusades were at their height. The climate of fear these Cold War era investigations engendered sent a clear message to the entertainment industries (particularly film) that certain subjects were not fit topics for loyal Americans to feature in their productions.

HUAC also sent the message that anti-Communist films *were* appropriate to the political climate, and the film industry responded with more than 50 such movies between 1947 and 1954, even though most of them were box office failures (Sayre, 1978, pp. 79–80). This "interplay between American film and politics" (Doherty, 1988, p. 15) illustrates how government can replace the individual moral agent in making decisions with ethics overtones.

## **. . . AND MORE RECENTLY**

The aftermath of the terrorist attacks of September 11, 2001 is a much more recent and vivid example of how government and political pressures can become more important than individual media decision-makers and their values. The U.S. government's call for across-the-board support for its efforts both to calm the country and to fight the threat of terrorism produced immediate and enthusiastic news media compliance. Perhaps the most visible symbol of that response was the wearing of American flag lapel pins by several network TV news anchors, an action that generally drew approval but which was questioned in some quarters as giving the appearance that the news media might be retreating from their traditional Fourth Estate role of questioning the government. Indeed, with the benefit of hindsight, it seems clear that, as *Bill Moyers Journal* on PBS concluded in April 2007, "in the rage that followed the Sept. 11, 2001 terrorist attacks, the media abandoned their role as watchdog and became a lapdog instead" (Shales, 2007).

Similar criticism was leveled at the media—mainly in retrospect—for its failure to question the administration's arguments for invading Iraq in 2003. Rex Smith, editor of the Albany, New York *Times Union*, analyzed the situation well in a mid-2004 column that was

prompted by a lengthy editors' note in *The New York Times* several days earlier. The paper, Smith wrote,

conceded that its coverage of the events leading up to the United States invasion of Iraq was "not as rigorous as it should have been," and that controversial information presented to reporters "was insufficiently qualified or allowed to stand unchallenged."  
(2004)

Smith noted that it was not just *The New York Times* that failed in its watchdog role. Other "highly regarded reporters and editors, handling some of the most important stories of their careers, didn't do their jobs well enough" and let into print various articles that "supported President Bush's rationale for invading Iraq," based on bogus information.

More than any other story in recent times, the reporting leading up to this [Iraq] war demanded what might be called "prosecutorial editing." Nothing should have gotten into the pages of the newspaper that the reporter couldn't defend against questioning by an editor as aggressive as a tough D.A. Every source needed to be, in effect, cross-examined for bias.

Smith criticized his newspaper colleagues for failing to exercise "the skepticism that is a hallmark of American journalism." But he noted that in the aftermath of 9/11 the United States "seemed eager to find scapegoats and enemies" and added that journalists "are not immune to the mind-set of their friends and neighbors." In essence, he was saying that in the stresses following 9/11—perhaps prompted by the government's calls for support—both good journalistic practice and some key ethical values gave way to "second-rate reporting and editing".

Some seven months after President Barack Obama's election, conservative columnist Cal Thomas (2009) raised similar concerns about the news media's failure "to question much of what he [Obama] does." Thomas also criticized the media for not pushing the administration for specifics on its claims in such areas as jobs saved or created by the economic stimulus funding, and for what amounted to hero worship of the new president, and noted that this paralleled criticism of the media in the early years of George W. Bush's presidency (i.e. the media abandoned their adversarial "watchdog" role in both instances).

Regardless of Thomas's ideological perspective, his concerns are valid ones no matter which party is in power. And the fact that such concerns have been raised about recent presidents from both parties should be a clear reminder to journalists that it's easy to fail (or to be perceived as failing) their adversarial role because they are unable to separate their reporting from a popular consensus in support of an incumbent president (or any other office-holder, for that matter). To use Bill Moyers' words in a different context, this illustrates anew how media can become lapdogs rather than watchdogs—a lapse that's indefensible under any ethics theory except perhaps ethical egoism (or overdoing the practical concern to maintain access to sources).

Pressure to abandon the adversarial role of the press can also come in much more mundane guises. For, example, the Attorney General in Wisconsin pressured news media in that state to refrain from asking questions about a 2007 mass killing in a small town northwest of Green Bay. The state official, who said he was merely expressing the wishes of the victims' families for privacy, suggested that members of the community refuse to talk to reporters. Many followed that advice and some "told reporters to go home" (Associated Press, 2007).

## PRESSURE GROUPS

Another example of political (and social) influences on media decision-making is the pressure from various quarters to reduce considerably violence and sexual content in TV programming (a topic discussed in detail in Chapter 14). Organized groups—for example, the American Family Association and the Parents Television Council (PTC)—have fueled this concern, as have congressional hearings going back not only to the 1990s but also as long ago as the Kefauver hearings in the 1950s. Political candidates ranging (recently) from Hillary Clinton to Joe Lieberman to John McCain and Sam Brownback also have criticized the media for too much content dealing with sex or violence or both. Groups such as the AFA and the PTC are also concerned about content dealing with gay rights, and any material that can fall into the somewhat nebulous area of what they (if not the FCC and the courts) regard as "indecent."

The Parents Television Council has been the source of numerous indecency complaints filed with the Federal Communications Commission and covering a wide range of network programming. The roster of targets in the first nine years of the 21st century included *That '70s Show*, *Father of the Bride*, *Without a Trace*, *Friends*, *The Simpsons*, *Two and a Half Men*, *Family Guy* and even the morning *Today* show. (The notorious Janet Jackson incident involving brief partial nudity because of a "wardrobe malfunction" during a Super Bowl halftime made its way to and from the Supreme Court, with the PTC cheerleading for heavy fines.) Such complaints require a major expenditure of broadcasters' time and money to defend against the potential fines, and tend to shift the emphasis in programming decisions from ethics to whether the program may produce a formal complaint.

Even when such complaints are eventually dismissed by the FCC (as many of these were), the prospect of needing to spend time and money defending against this particular brand of activism will, I believe, give broadcasters some second thoughts about venturing off tried-and-true (and perhaps trite) paths of program content.

Although all of this has led only to minimal changes in program content, and to a "voluntary" TV content rating system begun in 1997, threats of organized social and political action, economic boycotts, and potential government regulation can put major pressures on the gatekeepers both within the television industry—including the made-for-TV movie producers who supply sizable portions of TV programming—and elsewhere. Decision-makers in advertising agencies and television advertisers also have to decide whether to sponsor programs with high violence quotients, or sexual or other "indecent" content, and are at times directly constrained by these pressures. Some have dropped their sponsorships in the face of them.

## ECONOMICS AND INDIVIDUAL AUTONOMY

Economic pressures on individual autonomy are increasingly common in media conglomerates, where top management may have little familiarity with traditions that historically have been important to their media subsidiaries.

James Squires, former editor of the *Chicago Tribune*, discussed this issue extensively back in 1993 in his book, *Read All About It!* He provided—well ahead of the news industry’s more recent recession-compounded problems—examples of the economic forces that increasingly are taking content decisions away from the people who formerly used journalistic criteria to make them. A major factor, he said, was the increase in the number of companies whose stock is owned by members of the public, especially those with heavy investment from pension funds and other institutional investors whose only concern was to maximize profits (Squires, 1993). Stockholders, of course, can’t take traditional journalistic standards to the bank, and thus may put relatively little emphasis on the traditional role of news media as the vehicle through which a self-governing society becomes more informed.

Thus, bottom-line pressures to maintain and increase profit margins (discussed more fully in Chapter 8) can take away the autonomy and independence that Weaver et al. (2006) found to be something that journalists value. It is worth noting that these authors’ “typical” 21st-century journalist works for a group-owned paper, most likely a local monopoly paper that could survive quite well without diverting potential profits to improve quality. Furthermore, this group-owned paper is likely to be part of a conglomerate where the parent firm may have interests that differ greatly from traditional journalistic values—for example, the Disney empire noted below.

Corporate pressures to produce profits thus greatly limit journalists’ freedom to make decisions based on their own ethical frameworks. Kittross reinforces this point with his comment that company managers might have an ethical leg to stand on if they act on the maxim that making the stockholders happy is good. It is thus no longer correct, if it ever was, to say that news media content is determined mainly through the decisions made by various individual journalists. Of course, those decisions are still made and do influence media content, but increasingly, they are being made within a profit-driven context that removes important choices from the realistic options available to individual practitioners.

Nor is this limited to newspapers. The Time-Warner conglomerate—a merger which turned out to be much less profitable than anticipated—illustrates how management can be much less influenced by ethics and values issues than by the need to return the greatest possible profit to its shareholders and creditors. Soon after the merger, Time-Warner representatives praised “the ‘artistic integrity’ of the racist and sadistic outpourings of the rappers Ice-T and 2 Live Crew” (Harwood, 1992)—recordings produced and distributed (surprise!) by a Time-Warner company.

In another area of the mass media, we should ask whether conglomerate owners of advertising agencies are likely to give free rein to employees’ creativity if the economic results are decidedly less certain than profits previously produced by less imaginative, “tried and true” ad campaigns? I wouldn’t bet on ethics overcoming economics in this case, either.

## ETHICAL FRAMEWORKS

If external pressures and bottom-line considerations are more important than individual values and long-standing customs in the mass media, are there any useful ethical frameworks other than the pragmatic ends-justify-the-means approach of Machiavelli? Edmund Lambeth (1992) warns against using utilitarianism as a guide because it may be “ever so easy and often tempting to choose as a ‘maximizer of the good’ the path that suits the individual [practitioner’s] or media organization’s interest rather than the course [an individual], as a moral agent, would decide” (p. 57). Ethical egoism might be a viable alternative in a context where rational pursuit of self-interest is the accepted approach. However, it might not be useful if one looks at long-run self-interest while the corporate bean-counters are trying to maximize short-term profits.

Unless you are going to rely on “gut feeling” (or on John Merrill’s notion of a “moral epiphany”), the most practical personal ethical guideline for many of these situations comes from Aristotle’s Golden Mean. That approach might suggest staying in a job as long as you can live with the ethical constraints imposed by outside forces. When things get too bad, then it’s time to leave, a move that may be possible if you have built up from the early days of your employment what might be called a “go-to-hell fund”—one that enables you to tell that to your boss when you’re asked to step across a line that takes you too far from your basic ethical principles.

Squires used the pragmatic, Machiavellian approach in dealing with the head of the business operations at the *Chicago Tribune* and in Florida at the *Orlando Sentinel*. He struck what he later came to view as a Faustian bargain. He would control what went into the paper, its editorial opinions, when it went to press, and the face it presented to its community; in return, he would “run the tightest ship in the business. It was a deal designed to deliver both prizes and profits” and did deliver considerable success for a while (Squires, 1993, pp. 57–58).

Even if this approach were to work, attaining one’s goal at any cost is not comforting to people concerned with ethics. Similarly, executives responsible for making television programming decisions are increasingly likely to be constrained by economic factors. For example, if a potential program isn’t expected to appeal to viewers in a desired niche of the overall audience, it is unlikely to be seen on a national network no matter how good it is or how much “good” it might bring to a large number of viewers.

Conglomerate ownership has produced relationships—and the potential for decisions about the media—that extend well beyond the mass media gatekeepers. For example, the ties between the Disney Corporation’s various media activities, including ABC, and its ownership of theme parks and pro sports franchises, could easily produce media content decisions based on marketing considerations benefiting these non-media activities rather than traditional gatekeeping criteria.

Thus, the very structure of American media industries is increasingly creating conditions in which media traditions, individual ethical values and concerns about responsibility are less important than economics. When the actual and potential influence of government, politics, technology and the social system are added to the equation, the constraints on individual ethics, values, and autonomy should be obvious, as should the need for a go-to-hell fund.

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the very structure of American media industries is increasingly creating conditions in which media traditions, individual ethical values and concerns about responsibility are less important than economics.

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## KEY POINTS

- Aristotle and Rawls provide useful guidance in the face of political, cultural, social and economic pressures that can deter individuals from acting as independent “moral agents.”
- Among the factors limiting individual moral autonomy are pressure groups, the internal culture of media organizations, and constant Internet and 24/7 news cycle deadlines.
- Media people should build up a “go-to-hell” fund so they can quit their jobs when the alternative is to violate their own ethical principles.

## MERRILL: Commentary

David Gordon is right when he maintains that ethical decisions in the media are greatly influenced by forces operating in the larger society. Certainly it would be simplistic to believe that individual media people make their decisions based *solely* on their own ethical values. Media policy, peer expectations, and social pressures of many kinds inevitably have an impact on individual ethical determinations. Journalists, for example, often can avoid ethical decision-making if they are willing to follow the traditional media or social expectations. Sociologists would not quarrel with this; it is well known that people tend to conform to the policies of the institutions they work for.

Although such a position is not too bothersome in most areas of social activity, when it comes to ethics the concept of social conformity is rather worrisome, at least to those who feel that the individual should have the courage to carry the moral burden independent of external expectations. Even an immoral person can conform to the group, as we know. Like Kant, some believe that the “principled” media worker would be guided by a reasoned duty to do the right or the better thing—regardless of the social sentiment and pressures of the day. This is the position supported in this chapter by John Michael Kittross.

Certainly we shouldn’t go too far in such thinking, however. We know that a meaningful ethics is not isolated from society, that in reality there is no ethics that is not social. At least this is what a large segment of ethicists—especially communitarians—tell us. Religious, political, economic, and other forces, as Gordon argues, have their impact on media ethics. Organized social and political action, boycotts, and government regulation do indeed make independent ethical determinations difficult, if not impossible—or so it seems. But the question persists: *should* they?

Gordon gets very close to saying that the free-market capitalist economy, with its normal pressures, keeps journalists from making their own ethical decisions. It is incorrect, he maintains, to attribute significant media content to editorial decisions; he argues that such decisions are frequently influenced by outside social or governmental factors, or are made in a profit-driven context that largely omits moral considerations from the model. If this is

true, then it is indeed a sad day for media morality. Journalists become no more than slaves to forces outside themselves, mere functionaries operating in an institutional environment without morals. Like Machiavelli (and American journalist James Squires) Gordon seems to see pragmatism replacing the individual values of media people.

Taking issue with Gordon, Kittross puts considerable stress on the importance of individual moral values and decisions. Question your own ethical premises, think out your own ethical problems, act out your own moral strategies, take responsibility for your own ethical action: These are individualistic mandates, according to Kittross, that fall on every media functionary. But Gordon is right there with his counter-position: sticking to personal ethics is unattainable.

These collective and individual expectations may or may not be in conflict, but it would seem that if they are, the journalist would have to come down on the side of individual expectations. Why? Because morality is not determined by a majority vote or even a desire to do what the crowd or social pressures require.

Gordon is correct in noting that many forces influence journalistic ethics, such as audience expectations, the wishes of the editors, and the importance of the advertisers. He quotes Kovach and Rosenstiel about “cascading rationalization” as discouraging acts of individual conscience. All right. That is what the situation *is*. But we’re talking about ethics—about what *should be*.

Aristotle’s “Golden Mean” is the best ethical guide for Gordon, the middle-ground between extremes. But besides being semantically difficult, the Golden Mean may not accomplish another of Gordon’s aims—the utilitarian consequences of John Stuart Mill.

Kittross, reflecting a proclivity for Kant’s ethics, stresses a need for a rational, personal code of journalistic conduct. Kittross would prefer a code individually formulated, and not one based on a special concern for consequences. Basically a self-determined principled ethics, devoid of teleological expectation.

Of course, out of such discussions as this comes the inevitable question: why should I individually feel any ethical mandate placed on me? If I do, does it perhaps come from the expectations of my colleagues in the media or from those in the audience I serve? These are good questions, and ones that are usually avoided in media ethics books. I’m not sure that I can answer them—or that I really want to relieve you of this obligation, at this point. But I will say that a concern with being ethical must always precede any wrestling with moral dilemmas and any systematic concern for doing the right or best thing.

Many would say that a moral consciousness, with its determination to be ethical, derives from a deep-seated selfishness, a kind of doing unto others as you would have them do unto you. (Others might say it is the exact opposite, stemming from a desire to improve how society functions—to help “repair the world,” if you will.) Be honest with others because you want them to be honest with you. Don’t lie, said Kant, unless you would be willing to say that everyone should be allowed to lie. This is ethical reasoning, all right, but it is built on a foundation of selfishness. It makes sense, no doubt, but does it make moral as well as logical sense? Perhaps I should not lie even though everyone else, indeed, does lie.

Is it possible that I should have a desire to be ethical simply for the sake of being ethical—and for no other reason? Just because I sense that it is good to be ethical? No consideration of Gordon’s Millian consequences here. And no dedication to Kittross’s concern

with Kant's universalizing principle here. Just a deep-seated, personal commitment to doing right, regardless of what others might do or think, or what the social repercussions might be. This would free me from the formalistic ethical strictures of Immanuel Kant and also from the altruistic consequentialism of John Stuart Mill. It would throw me, existentially, into the moral maelstrom and force me momentarily to make ethical decisions and accept responsibility for them.

This might be called a kind of motivation ethics. It is somewhere between the social determinism of Gordon's argument and the personal autonomy of Kittross's position. My motive is simply to do what I think is right, or what I feel or intuit is right. The simple motive of doing good, of following the righteous path as I see it in the existential context of the moment and situation: this is the reasonless stimulant to ethical concern that may well lie at the foundation of much moral motivation.

This will not appeal to everyone; in fact it will probably not appeal to very many. It has Kierkegaardian overtones that rise to a kind of religious apex of faith, intuition, and personal spontaneity. Not to be found here is an overriding concern with moral reasoning, or with "doing ethics." It is not exactly the philosopher's way; it is perhaps more the theological or the mystical way. It is coming at ethics from the subjective, not the objective, side.

It is unfolding ethics from the inside out, not from the outside in. It is more feeling-ethics than thinking-ethics. Of course, when we talk like this we are getting into the religious sphere, but it is a sphere that many philosophers (such as Kierkegaard, Nietzsche, Schopenhauer, and Jaspers) and many religious figures (such as Buddha and Jesus) have endorsed wholeheartedly.

I have departed considerably from Gordon's and Kittross's main arguments, perhaps. But maybe not. Such an inward-motivational stance is certainly an individualistic one, based not on social conformity and peer expectations and pressures but rather on a personal, almost transcendental moral consciousness. That consciousness rises from spiritual awareness of what is better or worse, right or wrong, not from worldly reasoning. It derives from a kind of subjective inflation of one's sense of being human, a form of flooding the spiritual aspects of personhood with mystical positive overtones, and it results in a moral epiphany quite different from the purely philosophical reasons for being ethical.

The arguments of Gordon and Kittross deal with much less spiritual matters. They present their arguments cogently and stay far away from the mystical moral epiphany that I have just suggested. But they are facing the same sort of question, an old question with which many thinkers have grappled: is ethics mainly individualistic or social? Many agree with Hegel, who saw each of us as insignificant, no more than an expression of the grand forces of society and history, believing that an ethical sense must flow from the needs and wishes of society. The modern communitarians, under the leadership of sociologist Amitai Etzioni, are busy reinforcing the appeal of a socially endowed and concerned ethics.

Others, like Kierkegaard and Nietzsche, see the individual as of more importance than society, and make the case for personal moral accountability. Kittross would be supported by psychiatrist Carl Jung and philosopher Karl Jaspers, who believed that the individual matters more than the system, thus reversing the idea of Hegel, Marx, and other "groupist" thinkers. Contemporary Harvard philosopher Robert Nozick, an individualist, would

support Kittross, and his colleague John Rawls would support Gordon in his concern for social happiness and benefits.

What is clear is that the individual is essential to ethics, but at the same time others are also needed. The individual cannot be ethical in a vacuum. Without a doubt, media people must consider the human environment in which they function. Of course, this will lead to a certain moderation of action and to a certain conformity. But such moderation is self-determined. At the same time, it is necessary to recognize that the media person—regardless of field—must often be willing to make ethical decisions in a courageous and independent manner regardless of social expectations.

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