

Changing ethics in American media

Presented with no other alternative to pursue a story about government wrongdoing, a reporter decides to get inside information by lying about his identity.

A prominent figure in local politics gives a reporter a small birthday gift, and later asks the reporter for preferential treatment.

A news organization decides to use a hidden camera to find out if the charges of child abuse against a certain individual are true.

A well known news reader agrees to lecture before a large business group that is often in the news. The business group also pays the news reader a large fee for the lecture.

A reporter is offered a free trip to Hollywood to interview the lead actors in a new film. The trip is paid for by the movie promoters.

These are just a few of the ethical questions that are challenging journalists now more than ever. Changing economics, and new technology has brought a whole new dimension to ethics in journalism.

While ethics is one of the most important issues in a journalist's training, it is one area that is often given short shrift in the classroom. Lessons on ethics are too frequently theoretical. Only on the job do journalists make the ethical decisions based on lectures given in a classroom. This may be one reason some young journalists have difficulty identifying and sorting out ethical dilemmas. Working as a professional journalist requires thinking about ethics every day. Each day a journalist will encounter a situation that requires an ethical decision. The importance of learning how to make decisions based on ethical considerations cannot be underestimated.

What are »ETHICS«? As defined in »Longman's Dictionary of Contemporary English«, ethics are the »Moral rules or principles of behaviour governing a person or group«. America's Society of Professional Journalists (SPJ) regards adherence to ethical guidelines as the highest goal of all journalists, »The public's right to know of events of public importance and interest is the overriding mission of the mass media. The purpose of distributing news and enlightened opinion is to serve the general welfare. Journalists who use their professional status as representatives of the public for selfish or other unworthy motives violate a high trust.«¹

Trust is the cornerstone of all journalistic efforts. Without ethics there is no public trust and without public trust the media has no credibility. Now there are new challenges in solving ethical questions, smaller budgets and technical innovations presenting the most difficulties.

Ethical dilemmas fit into six widely accepted categories:

- 1) Plagiarism
- 2) Receiving favors
- 3) Conflict of interest
- 4) Withholding information

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¹ Society of Professional Journalists, Code of Ethics.

- 5) Deceit/Invasion of privacy
- 6) Journalist participation in the news

Many of the issues overlap. Rarely does one come to the fore without the presence of another. For example, withholding information in some cases can also be described as a form of deceit. For the purpose of this article I will address only those ethical issues that are impacted by current journalistic conditions.

Receiving favors

Most Western news organizations have defined standards or guidelines regarding the receipt of favors. The standards vary widely. The Radio-Television News Director's Association (RTNDA) advises journalists to decline gifts or favors which would »influence or appear to influence their judgement«. The SPJ is more direct, »Gifts, favors, free travel, special treatment or privileges can compromise the integrity of journalists and their employers. Nothing of value should be accepted.« But what constitutes value? And will the size of the gift or favor really matter once your colleagues hear that you accepted it? The RTNDA standards talk about the »appearance of influence«. Perceptions can be powerful and so a journalist must be careful about accepting even what seems to be the most insignificant gift.

It has become a common practice of movie companies and promoters to offer free air travel to Hollywood or New York to interview the stars of a new film. Would your news organization accept the offer? Perhaps the owners of a new resort hotel want you to come to report on the grand opening. They offer free hotel rooms to the reporters. Would you accept this offer? Shrinking news budgets have caused many news organizations to think twice about these offers. It is an especially hard decision for small news outlets that can't compete financially. These are just three of the questions editors must ask themselves before accepting:

- 1) Do reporters who accept free tickets or accommodations write more favorably about a subject than they would if the newspaper/television station paid the expenses?

- 2) When promoters are paying the way, are stories written that otherwise would not be?

- 3) Does the public believe that a reporter is compromised by accepting free gifts or travel?

Again the perceptions of influence can be the most damaging for the journalist and his employers. If management decides to cover a story subsidized by an interested party, that fact should be made public to preclude or diminish any suggestion of influence or conflict of interest. On the other hand if the story is deemed to be of such great importance the news organization should attempt to fund the trip itself.

A recent article in »Editor and Publisher«² magazine recounted a similar ethical dilemma. It ended with the Executive Editor of a small Pennsylvania newspaper resigning his post. Editor Leonard Brown quit after his newspaper insisted on publishing travel articles written by journalists whose trips were paid for by travel companies. The E&P article also noted that other small newspapers had resolved this situation by stating in the article the trip was gratis. The decision must be

² Editor and Publisher Magazine, »Editor Quits Over Ethical Concern«, Mar. 27 1993 page 9.

made on an individual basis, management would be wise to set strict conditions whereby such an offer would be accepted.

Of course receiving gifts doesn't always mean the reporter or news organization is gaining anything tangible. Perhaps it means preferential treatment. Intangible gifts can be the most subtle and the most problematic. Often this ethical dilemma coincides with *CONFLICT OF INTEREST*.

What happens when a political reporter is an active member of a political party in the city he covers. One day the president of that same political party tells this political reporter that he has exclusive information of wrongdoing by the opposition party. Can this journalist objectively write about this issue, furthermore can this reporter decide whether this is a newsworthy story? Will there be some intangible benefit for the reporter if he does write a story? Again the reporter and his employers must determine whether the integrity of the station will be compromised by this situation. Will the public perceive the news organization has compromised itself? In this case the answer would likely be yes. Some cases are not so clear cut. Can a reporter who is a member of a city commission report objectively on city politics? Can a journalist who is a member of an environmental group report effectively on a new recycling program? Many news outlets have decided to keep reporters off stories if they have any outside link or interest in the issue. This may be the safest and most ethical way to deal with the problem.

Sometimes a conflict of interest doesn't involve an outside organization, only self advancement by the journalist. For example, what if the reporter who covers the state legislature spends half her time there promoting the interests of a company she runs on the side? Perhaps a business reporter has been using his influence on the business page to manipulate stock prices. This was the case a few years back at »The Wall Street Journal« Their writer for a stock tips column was found to be profiting by trading stocks that he had written about in his column.

How strict should conflict of interest rules be? Should a reporter be barred from joining and special interest group or organization? Most people would agree that a good journalist is involved in their community, and involvement many times means joining some organization. But how involved is »too involved«? The SPJ code stipulates, »Secondary employment, political involvement, holding public office, and service in community organizations should be avoided if it compromises the integrity of journalists and their employers. Journalists and their employers should conduct their personal lives in a manner that protects them from conflict of interest, real or apparent. Their responsibilities to the public are paramount. That is the nature of their profession.« A recent SPJ conference took up the issue of conflict of interest and community involvement.³ Whether the rules should be relaxed or revised to reflect changes in society, the need for a journalist to be active and interested in the issues that concern the community they write about. In a recent Editor and Publisher article Louis Hodges, a teacher of ethics at Washington and Lee University in Virginia was quoted on the fine line between community involvement and perceived conflicts of interest, »If you're not involved with the community at all and you're totally neutralized, you end up not knowing enough about the community, not being able to get enough leads and do your job. If on the other hand, a journalist is totally involved in everything that goes on, if you are

³ Editor and Publisher Magazine, »Can Journalists be Joiners?«, Jan. 30, 1993, page 15.

a power wielder in the community it is pretty clear in my view that you cannot escape accusations of not being objective.«⁴

As society changes the guidelines will likely adapt. One important criteria to determine conflict of interest no matter how things change is whether the reporter and the news organization are serving themselves rather than the public.

Deceit

Some might argue that all unethical practices are deceitful, and to some degree that is correct. This category covers specifically, practices that would deceive readers, viewers, journalists' sources or those under investigation. Some of these practices are subtle, others are more blatantly unethical:

- 1) Printing or broadcasting quotes out of context.
- 2) Using incomplete or partial sentences or electronically manipulating or editing words to give a different meaning to a story.
- 3) Using words or phrases that give negative connotations to a sentence, such as using the verbs, »claims« and »demands« rather than »says«.
- 4) Printing or broadcasting a charge against someone without allowing the accused to reply.

Some types of deceit are used in rare cases to investigate a story. Perhaps surprisingly, lying may be the most accepted form of deceit used. Should a reporter lie to get a story? Sometimes in special cases, the answer is yes. A recent Article in the *Columbia Journalism Review* (CJR) was devoted to this subject. The article »Truth, Lies and Videotape«⁵ addressed the two issues; lying to get a story and using a hidden camera to get video for the story. The use of deception to get evidence of malfeasance for a story has become an ethical quandary that has become more and more frequent. Now that every American Television Network is broadcasting at least two news magazine programs per week, the need for new and exciting material seems unending. The CJR article focused on one of these news magazine programs called »PrimeTime Live«. The program used deceptive means to report a story about an American grocery store chain that was ignoring federal meat standards in a way that would prove harmful to public health. To get the story »PrimeTime« had one of its producers lie to get a job at one of the grocery stores, and then this same producer smuggled in a hidden camera to record the video necessary for the TV story. According to the CJR article the impact of the story was felt immediately. It shocked the food industry into action and the company's stock dropped 15% the day after the broadcast. The ethical question is, do the means meet the ends? Is the deceit worth the pay-off? In this case it might be argued that it was. This is not always the case. There is always the risk that the video collected by the hidden camera could be manipulated and edited to distort the truth committing yet another deceit. Some journalist might argue that after one deceit has been committed there are sure to be others.

There are now dozens of »Reality-Based« shows now on the air in the United States. Programs like »Cops«, »Firefighters«, and »American Detective«. All are making use of hidden cameras to spice up what might otherwise be a mundane story. Now we can be with the police as they raid a drug den, or with the detectives

⁴ Ibid.

⁵ Columbia Journalism Review, »Truth, Lies and Videotape«, July/August 1993, page 25.

when they arrest a bunch of prostitutes, at the fire when firemen put out the blaze. Hidden camera technology was once reserved only for investigative purposes and now it is considered by some news organizations to be a daily news gathering device. Is the technology being misused? When does the use of a hidden camera become an invasion of privacy? Most legitimate news organizations will engage in a long debate before they will agree to use a hidden camera. At »PrimeTime Live« the okay must come from the top of the news division, and must also clear their legal department.

The Society of Professional Journalists (SPJ) provides this checklist when addressing this issue:

Hidden cameras and other forms of misrepresentation should be used:

- When the information obtained is of profound importance. It must be of vital public interest, such as revealing great »system failure« at the top levels or it must prevent profound harm to individuals.

- When all other alternatives for obtaining the same information have been exhausted.

- When the journalists involved are willing to disclose the nature of the deception and the reason for it.

- When the individuals involved and their news organizations apply excellence through outstanding craftsmanship as well as the commitment of time and funding needed to pursue a story full.

- When the harm prevented by the information revealed through the deception outweighs any harm caused by the act of deception.

- When the journalists involved have conducted a meaningful collaborative and deliberative decisionmaking process.

The SPJ goes on to describe the reasons that do NOT justify deception.

- Winning a prize

- Beating the competition

- Getting the story with less expense of time and resources

- Doing it because »the others already did it«

- The subjects of the story themselves are unethical (i. e. convicted criminals.)

These last five criteria can be used when making any ethical decision. When ever the dilemma centers on any one of these issues, another avenue to report the story should be found. The examples above also bring up the question of the changing economics of journalism. Increasingly, the need for a larger circulation in the case of newspapers and of higher ratings in the case of television is the driving factor when making news decisions. Smaller budgets have caused some news organizations to cut corners, or accept free trips or promotions. The pursuit of a larger audience has caused some news outlets to print scandalous stories that sometimes threatens an individual's right to privacy. The pressure for news companies to stay one step ahead, to »beat the competition« sometimes leads to sloppy journalism. The drive to print and broadcast »exclusive« pictures and stories sometimes results in using unidentified or questionable sources. Every news organization should guard themselves against such temptations. All questionable means of broadcasting or printing a story should be discussed between colleagues or with employers. No one person should ever be left to make an ethical decision on their own.

Especially when challenged by the constraints of smaller budgets, all news organizations must remember that the real bottom line is based on trust and credibility. One public trust is compromised, regaining credibility is a long and costly road.