

GENE FOREMAN

# THE ETHICAL JOURNALIST

MAKING RESPONSIBLE DECISIONS IN THE DIGITAL AGE

Second Edition



WILEY Blackwell



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**MAKING RESPONSIBLE DECISIONS  
IN THE DIGITAL AGE**

*Second Edition*

**WILEY Blackwell**

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*In memory of Jim Naughton,  
who personified The Ethical Journalist*





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*Our society needs news professionals who do the right thing*

- Contemporary journalists are keenly aware of the ethics of the profession; they deal frequently with ethics questions in their working lives.
- In a profession that cannot be regulated because of the First Amendment, responsible journalists adhere voluntarily to high standards of conduct.
- The goal of this book and course is to teach you how to make ethically sound decisions.
- Discussing case studies in class is crucial to learning the decision-making process.
- The digital era, which has radically changed the way the news is gathered and delivered, has provoked controversy over whether ethics should radically change as well.
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- Ethics and law may be related, but they are not the same; law prescribes minimum standards of conduct, while ethics prescribes exemplary conduct.
- A member of a society absorbs its ethical precepts through a process of socialization.
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- In the 1940s the Hutchins Commission defined journalism's social responsibility: to provide reliable information for the community.
- An ethical awakening occurred in journalism during the decade beginning in the mid-1970s.
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- Codes adopted by professional associations are voluntary and advisory; codes adopted by news outlets for the direction of their staffs are enforceable.
- Codes can be useful as a part of the decision process, not as a substitute for that process.
- The Society of Professional Journalists' 2014 code, a model for the profession, contains four guiding principles: seek truth and report it; minimize harm; act independently; and be accountable and transparent.

Point of View: Reporting a Fact, Causing Harm (*William F. Woo*)

Point of View: Impartial Journalism's Enduring Value (*Thomas Kent*)

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- A step-by-step template can guide you to a better decision.
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- The offenses of plagiarism and fabrication destroy journalism's credibility and cost offenders their jobs and their careers.
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- Journalists have to be alert for hoaxes, especially on the Web.
- Journalists should promptly and clearly correct any mistakes they make.

Point of View: Declaring What You *Won't* Report (*Craig Silverman*)

Point of View: Decision-Making in the Digital Age (*James M. Naughton*)

Case Study: Richard Jewell: He Really Was a Hero

Case Study: A Story of Rape at Mr. Jefferson's University

Case Study: The Football Star's Fictitious Girlfriend

Case Study: Verifying a Key Boston Video (*Malachy Browne*)

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- This chapter examines recurring situations in which ethics issues arise in source relationships.

Point of View: Sometimes, Different Rules Apply (*Jeffrey Fleishman*)

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- Journalists often have to decide between the public's legitimate need to have certain information and the desire for privacy by the individuals involved.
- Although there are certain legal restraints on publicizing private information, most decisions are made on the basis of ethics rather than law.
- A three-step template can help you make decisions in privacy cases.
- This chapter examines reporting situations in which privacy is central to decision-making.

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Case Study: Mapping the Locations of Gun Owners

Case Study: Identifying a 13-Year-Old Rape Victim

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Case Study: Covering a Public Official's Public Suicide

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- There are other situations, short of undercover, in which journalists could deceive or could be perceived as deceiving.
- You should never deceive the audience or your colleagues.

Point of View: The Truth about Deception (*Brooke Kroeger*)

Case Study: Rumsfeld's Q&A with the Troops

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- Careful, sensitive reporting is required to analyze the complex issues of racial and ethnic conflicts.
- You should study techniques that can help you do a better job of covering cultures other than your own.
- Reporters who cover new immigrants are finding that the assignment presents specific ethics issues.
- Sensitivity is needed in covering gays and lesbians in the news.

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Case Study: When a Story Gets Its Subject Arrested (*Sharyn Vane*)

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- Although ethical issues pertaining to digital journalism are discussed throughout the book, this chapter focuses on issues specific to that news-delivery platform.



- Requests from the public to “unpublish” archival content creates an ethical dilemma. News organizations should resist deleting the digital record while also being considerate of the human problems stemming from the permanence of that record.
- Although the Internet empowers the audience to be heard, news organizations need to find ways to curb incivility.
- Hyperlinks in online news stories help journalists be transparent about their sources.
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# Foreword

## Journalism Genes

When Gene Roberts left *The New York Times* in 1972 to begin elevating one of America's worst newspapers, *The Philadelphia Inquirer*, he quickly realized he needed help. "I was looking," he recalls, "for someone who was everything I was not." Roy Reed, then a national reporter for *The Times*, and others who knew Roberts well told him they had just the right person to be his managing editor: Gene Clemons Foreman.

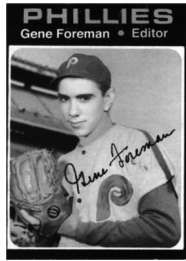
And so the two editors became Gene and Gene, or as the staff in Philadelphia dubbed them, The Chromosomes. They were indeed an odd couple – Roberts an unmade bed of an intuitive strategist and Foreman a conscientious pillar of reasoned exactitude – and they were a perfect match. Roberts always has been given, rightly, credit for the development of a literate *Inquirer* staff that may well have been, pound for pound, the most enterprising in American newspapering. In his 18 years in Philly, the staff was awarded 17 Pulitzer Prizes. Yet Roberts would be the first to say, and others of us who had the privilege of helping improve *The Inquirer* would echo, that it was Gene Foreman whose standards were at the center of the remarkable transformation.

It was Foreman who commissioned, edited, and published newspapering's most thorough and high-minded policy manual. It was Foreman who established and conducted standards and procedures training sessions for every staff member. It was Foreman who encountered Michael Josephson, a lawyer who was creating an ethics institute in Los Angeles, and tutored him in news issues so that Josephson could train journalists anywhere – including *The Inquirer* – in news ethics. It was Foreman who defined what the paper should look like and made sure it did. It was Foreman who built an exceptional core of copy editors, in part by creating a pre-employment editing test that became a model for the industry. It was Foreman who relentlessly examined each issue of the newspaper and delivered detailed guidance about where there was room for improvement. Never has there been a newspaper editor more focused on fact, honesty, reality, ethics, truth, accuracy, style.

Without either of the Genes, the remaking of *The Inquirer* likely would have collapsed. With the two as a team, yin and yang, it prospered as we performed a little more enterprisingly and a little more carefully each day. Many of us came to regard working for the Genes as the golden era of our careers. Plus it was great fun. They fostered the kind of newsroom in which on one of Gene Foreman's birthdays his fanatical devotion to the Philadelphia Phillies could be celebrated by creating a huge sheet cake on which there was a deliberate typo in the icing spelling Foreman's name. Just as Gene was about to cut the "cake," it popped open and up came Larry Bowa, the Phillies' shortstop. I've often thought Foreman identified with Bowa because both did their utmost to perform



Gene Foreman.  
PHOTO BY  
JOHN BEALE.



at a high level without error. Gene certainly deserved a gold glove for editing. When Gene Foreman retired in 1998 after a quarter-century at *The Inquirer*, the staff threw a huge family picnic in his honor. One of the mementoes was a “baseball” card celebrating how much he loved both journalism and his baseball team.

As Gene’s editing career wound down, Penn State arranged for him to continue to advocate best practices by joining the journalism faculty. Every week, Foreman made the rigorous round-trip from his home outside Philadelphia to the main campus in State College.

Students aspiring to careers in journalism came to revere him for his meticulous teaching and his energetic mentoring. Here’s how Leann Frola Wendell, class of ‘06 and now a copy editor at the *Dallas Morning News*, put it:

Professor Foreman was my most influential teacher at Penn State. Not only did he give me a solid foundation for copy editing and ethical journalism, he went above and beyond to help me with my career. Inside the classroom, he was impeccably organized and made each grading point count. He taught in a way that challenged us to intimately learn the material. And he was sure to explain why what we learned mattered. Professor Foreman was also a great resource outside the classroom. He made me aware of editing opportunities and encouraged me to work hard and apply for them. At his urging, I applied for a program that led me to the job I have today.

In preparing to teach ethics, Gene concluded that there were people in the craft and the academy who advocated high-minded practices, but no single text that explained to his satisfaction why and how journalism should be done right. Over nearly a decade he kept pulling together material from everywhere he could find it – accounts of best practices, case studies of news coverage gone awry, quotations from exemplars of the craft, and breaking news about how news was being broken in print, on the air, and online.

And he has put all of it, and more, into this book. *The Ethical Journalist* is like GPS for sound decision-making. It will not tell you what path to take but rather where you are on the journey to an ethical decision. It is invaluable for anyone who practices or cares about the craft. It is up to the minute in relevance. It will serve not merely to teach but to exemplify Gene Foreman’s conviction that while there are immutable principles to guide the honest and careful delivery of news, ethical values are not static but alive. Standards cannot merely be proclaimed; they must be experienced, for every day, every broadcast, every edition, every deadline brings some unforeseen wrinkle in the who, what, when, where, why, and how of the world.

**James M. Naughton**

James M. Naughton (1938–2012) headed the Poynter Institute of Media Studies at St. Petersburg, Florida, from 1996 to 2003 and on retirement became its president emeritus. He joined *The Philadelphia Inquirer* in 1977 and was the paper’s executive editor when he left for Poynter. Before his work at *The Inquirer*, he was *The New York Times*’ White House correspondent during the Nixon and Ford administrations.

# Preface

I am pleased to present this second edition of *The Ethical Journalist*. The content has been thoroughly updated to reflect the changing news environment of the digital age.

Like the first edition, issued in 2009, this book is intended to inform your professional life. Technically, it is published as a textbook for college courses in journalism ethics and communications ethics, and as the ethics textbook in a course combining journalism ethics and law. I hope that practicing journalists – especially young men and women who did not take journalism courses in college – will also find it useful for its comprehensive discussion of the standards of the profession.

If you fit those categories of student journalist and practicing journalist, you will find yourself addressed directly in this book. I reach out to you in two ways: first, to help you learn to make ethically defensible decisions in the practice of journalism; and, second, to give you the benefit of the thinking of generations of professionals and scholars that resulted in today's consensus guidelines for ethical conduct.

With these goals in mind, I have divided the book into two parts. Part I examines ethics in a general way, shows the relevance of ethics to journalism, and outlines a decision-making strategy. Part II discusses specific subject areas in which journalists frequently confront ethical problems.

Throughout the book, the consensus guidelines are explained, not to dictate your decision-making but to offer a starting point for thinking through the issues. The idea is that you don't have to start from a zero base; you can build on the best thinking of those who have gone before. Where there is disagreement in the profession, I have noted that, too. In several instances I advocate for what I consider to be best practice. All this is fodder for classroom discussion.

The book is largely the product of my half-century in journalism – more than 41 years in the newsroom and more than eight as a college professor. Although my approach is an entirely practical one of trying to improve decision-making in the profession, I have been influenced by ethics scholars as well as newsroom colleagues. One theme of the book is the value of ethical theory as a resource in the decision process. As a longtime newspaper managing editor, I acknowledge that the newsroom has benefited from the scholars' thoughtful analysis of issues whose nuances we practicing journalists sometimes overlooked as we focused on the next deadline.

To learn journalistic techniques like writing headlines for a website, I presume that you will take other courses and read other textbooks. In contrast, the purpose of this book is to encourage you to ponder the ethical ramifications of what journalists do, whether the consumer gets the news from a newspaper or a TV set or a computer screen or a mobile device.

The case studies and other actual experiences of journalists recounted in this book illustrate the ethical choices you may have to make. Those experiences have occurred in all types of news media – print, broadcast, and digital.

The timeless values of journalism are explained in the book's first 17 chapters. Although news delivered digitally is referenced throughout those chapters, there remain certain ethics issues that apply specifically to digital journalism. These are discussed in Chapter 18. Visual journalism, too, has its own specific issues, and these are the topic of Chapter 19. Summarizing the book's lessons, Chapter 20 offers capsules of ethics advice for aspiring journalists. In this new edition there is a Glossary at the back of the book; terms included in the Glossary are printed in bold when they are introduced in the text.

On the website accompanying *The Ethical Journalist*, you will find additional resources: more readings in print and online, and more case studies. The texts of reports and articles cited in the chapters can be accessed by clicking on the hyperlinks. You can expand the book's content to an almost infinite degree by following the links – much in the way that digital journalists offer their audience the ability to read the documents underpinning their reporting. Where readings have been posted on the book's website, their availability is noted in the chapter endnotes. We intend to refresh the website's content regularly so that *The Ethical Journalist* will continue to be up to date. You can find the website here: [www.wiley.com/go/foreman/theethicaljournalist](http://www.wiley.com/go/foreman/theethicaljournalist).

The journalists' decisions in the book's examples are open to debate, which is precisely why you should study them. If you decide that the journalist involved in a case study made a mistake, bear in mind that, nearly always, those were mistakes of the head and not of the heart. In teaching the journalism ethics course for 16 semesters, I frequently told my students of my own decisions that I would do differently if given a second chance. In many ways, learning journalism ethics is about learning from our mistakes.

Gene Foreman  
Keswick, Virginia  
September 2014

# Acknowledgments

In preparing this second edition of *The Ethical Journalist*, I once again drew on the wisdom of colleagues whose friendship I enjoyed in my careers in the newsroom and in the classroom.

Four colleagues read all, or much, of the manuscript: Steve Seplow, Katie O'Toole, Jim Davis, and Avery Rome. Others reviewed at least one chapter: John Affleck, John Beale, Curt Chandler, Bill Connolly, Rick Edmonds, Russ Eshleman, Russell Frank, Maxwell King, Malcolm Moran, and Jeff Price. They were valued sounding boards, offering many suggestions that improved the book. I thank them all.

As I outlined the content revisions for this edition, I consulted with the folks named above and also with Doug Anderson, Malachy Browne, John Carroll, Tom Kent, Hank Klibanoff, Carol Knopes, Santiago Lyon, Arlene Morgan, Gene Roberts, Craig Silverman, Bob Steele, Al Tompkins, and Stacey Woelfel. I am grateful to them for their guidance.

I thank Bill Marsh, who again prepared the book's graphics, and John Beale, who collected the photographs that appear in these pages.

I extend special thanks to Marie Hardin, dean of the College of Communications at Pennsylvania State University, who arranged research support for the second edition. I was privileged to have taught eight years at Penn State as the inaugural Larry and Ellen Foster Professor, and I am proud to continue my relationship with the university as a visiting professor. Dean Hardin assigned two graduate students, Steve Bien-Aime and Roger Van Scyoc, to help in my project. I thank Steve and Roger for their dedicated assistance.

I express my appreciation to the journalists who graciously allowed their work to be used in the book as Point of View essays, as case studies, or as illustrations. Their contributions are acknowledged where they appear in the book.

I am grateful to Elizabeth Swayze at John Wiley & Sons, the acquisitions editor who commissioned both editions, and to the Wiley Blackwell editors who guided my manuscript into print, Julia Kirk, Leah Morin, and Jacqueline Harvey.

I thank my wife, JoAnn, and our children and grandchildren, for their continued support of my work – and for being who they are. I love you all.

*Gene Foreman  
Keswick, Virginia  
September 2014*





# Part I    A Foundation for Making Ethical Decisions

This part of the book will prepare you to make ethical decisions in journalism.

Chapter 1 explains why journalists should understand ethics and apply ethical principles in their decision-making.

Chapter 2 explores the history of ethics and the way that members of society develop their ethical values.

Chapters 3, 4, and 5 discuss journalism's role in society, the shared values of the profession, and the often tenuous relationship of journalism and the public.

Chapters 6, 7, and 8 lay the foundation for moral decision-making in journalism, which is the goal of a course in applied ethics. Chapter 6 discusses classic ethics theories, Chapter 7 codes of ethics, and Chapter 8 the decision process.



# 1 Why Ethics Matters in Journalism

Our society needs news professionals who do the right thing

## Learning Goals

This chapter will help you understand:

- why ethics is vitally important in a journalist's everyday work;
- why responsible journalists adhere voluntarily to high standards of conduct;
- how journalists should make ethically sound decisions;
- how discussing the case studies in class is crucial to learning the decision-making process;
- how the digital era, in revolutionizing the way the news is gathered and delivered, has provoked a controversy over ethical standards; and
- why the public depends on ethical journalists more than ever.

Lovelle Svart, a 62-year-old woman with short, sandy hair, faced the video camera and calmly talked about dying. “This is my medication,” she said, holding an orange bottle of clear liquid. “Everyone has told me ... I look better than I did ten years ago, but inside, I hurt like nobody's business.” On that afternoon of September 28, 2007, after she had danced the polka one last time and said her goodbyes to family and close friends, the contents of the orange bottle quietly killed her.<sup>1</sup>

Svart's death came three months after her doctor informed her she would die of lung cancer within six months. The former research librarian disclosed the grim prognosis to a reporter friend at *The Oregonian* in Portland, the newspaper where she had worked. She said she had decided to avail herself of Oregon's assisted-suicide law. Svart also said she wanted to talk to people frankly about death and dying, hoping she could help them come to grips with the subject themselves. Out of that conversation grew an extraordinary mutual decision: On its website and in print, *The Oregonian* would chronicle Lovelle Svart's final months on earth (Figure 1.1).



**Figure 1.1**  
Lovelle Svart faces the camera during one of her “Living to the End” video diaries on *The Oregonian's* website. PHOTO BY ROB FINCH. REPRINTED BY PERMISSION OF THE OREGONIAN.

In her series of tasteful “video diaries,” she talked about living with a fatal disease and about her dwindling reservoir of time. In response, hundreds of people messaged her on the website, addressing her as if they were old friends.

But before Svart taped her diaries, journalists at *The Oregonian* talked earnestly about what they were considering. Most of all, they asked themselves questions about ethics.

The threshold question was whether their actions might influence what Svart did. Would she feel free to change her mind? After all the attention, would she feel obligated to go ahead and take the lethal dose? On this topic, they were comforted by their relationship to this story subject. Familiarity was reassuring, although in the abstract they would have preferred to be reporting on someone who had never been involved with the paper. In 20 years of working with her, they knew Svart was strong-willed; nobody would tell her what to do. Even so, the journalists constantly reminded her that whatever she decided would be fine with them. Michael Arrieta-Walden, a project leader, personally sat down with her and made that clear. The story would be about death and dying, not about Svart’s assisted suicide.

Would the video diaries make a statement in favor of the controversial state law? No, they decided. The debate was over; the law had been enacted and it had passed court tests. Irrespective of how they and members of the audience felt about assisted suicide, they would just be showing how the law actually worked – a journalistic purpose. They posted links to stories that they had done earlier reflecting different points of view about the law itself. Other links guided readers to organizations that supported people in time of grief.

In debates among themselves and in teleconferences with an ethicist, they raised countless other questions and tried to arrive at answers that met the test of their collective conscience. For example, a question that caused much soul-searching was what to do if Svart collapsed while they were alone with her. It was a fact that she had posted “do not resuscitate” signs in her bedroom and always carried a document stating her wishes. Still, this possibility made them very uncomfortable – they were journalists, not doctors. Finally they resolved that, if they were alone with her in her bedroom and she lost consciousness, they would pull the emergency cord and let medical personnel handle the situation. As Svart’s health declined, they made another decision: They would not go alone with her outside the assisted-living center where she lived. From then on, if they accompanied her outside, there would also be another person along, someone who clearly had the duty of looking out for Svart’s interests.<sup>2</sup>

The self-questioning in the *Oregonian* newsroom illustrates ethics awareness in contemporary **journalism**. “Twenty years ago, an ethical question might come up when someone walked into the editor’s office at the last minute,” said Sandra Rowe, then the editor of *The Oregonian*. “We’ve gone through a culture change. Now an ethical question comes up once or twice a week at our daily news meeting, where everyone can join the discussion. We are confident we can reach a sound decision if everyone has a say.”<sup>3</sup>

## The Incentives for Ethical Behavior

Most journalists see theirs as a noble profession serving the public interest. They *want* to behave ethically.

Why should journalists practice sound ethics? If you ask that question in a crowd of journalists, you would probably get as many answers as there are people in the room. But, while the answers may vary, their essence can be distilled into two broad categories. One, logically enough, is moral; the other could be called practical.

- *The moral incentive.* Journalists should be ethical because they, like most other human beings, want to see themselves as decent and honest. It is natural to crave self-esteem, not to mention the respect of others. There is a psychic reward in knowing that you have tried to do the right thing. As much as they like getting a good story, journalists don't want to be known for having exploited someone in the process.
- *The practical incentive.* In the long term, ethical journalism promotes the news organization's credibility and thus its acceptance by the public. This translates into commercial success. What journalists have to sell is the news – and if the public does not believe their reporting, they have nothing to sell. Consumers of the news are more likely to believe journalists' reporting if they see the journalists as ethical in the way they treat the public and the subjects of news coverage. Just as a wise consumer would choose a product with a respected brand name over a no-name alternative when seeking quality, journalists hope that consumers will choose their news organization because it behaves responsibly – because it can be *trusted*.

## Why Ethics Standards Are Needed

There are also practical arguments for ethical behavior that flow from journalism's special role in American life.

The First Amendment guarantee of a free press means that, unlike other professionals, such as those in medicine and the law, journalists are not regulated by the state and are not subject to an enforceable ethics code. And that is a good thing, of course. The First Amendment insulates journalists from retribution from office holders who want to control the flow of information to the public and who often resent the way they are covered in the media. If a state board licensed journalists, it is a safe bet that some members of the board would abuse their power to rid themselves of journalists who offend them. The public would be the loser if journalists could be expelled from the profession by adversaries in government.

But there is a downside to press freedom: Anybody, no matter how unqualified or unscrupulous, can become a journalist. It is a tolerable downside, given the immense benefit of an independent news media, but bad journalists taint the reputation of

everyone in the profession. Because they are not subject to legally enforceable standards, honest journalists have an individual obligation to adhere voluntarily to high standards of professional conduct. Ethical journalists do not use the Constitution's protection to be socially destructive.

Yet another argument for sound ethics is the dual nature of a news organization. Journalism serves the public by providing reliable information that people need to make governing decisions about their community, state, and nation. This is a news organization's quasi-civic function. But the news organization has another responsibility, too – and that is to make a profit. Like any other business, the newspaper, broadcast station, or digital news site must survive in the marketplace.

The seeming conflict of those two functions – serving the public, yet making money – is often regarded cynically. Decisions about news coverage tend to be portrayed by critics as calculated to sell newspapers, raise broadcast ratings, or draw Web traffic rather than to give the citizens the information they need. The truth is that good journalism is expensive, and the best news organizations invest significant sums in deeply reported projects that could never be justified in an accountant's profit-and-loss ledger. If there is a pragmatic return in such projects, it is in the hope that they build the organization's reputation as a source of reliable information.

Journalists cannot expect their work to be universally acclaimed. But they have an obligation to themselves and their colleagues to never deliberately conduct themselves in a way that would justify the criticism. They have an obligation to practice sound ethics.

## The Growth of Ethics Codes

For reasons that are explored in Chapter 3, journalism matured in the second half of the twentieth century. During this period, it became common for individual news organizations to articulate their ethics standards in comprehensive codes, which can be useful guides in decision-making about the news. Today, not only professional organizations of journalists, but also individual newspapers, broadcast stations, and digital news sites typically have ethics codes.

There is a distinct difference in the effect of these two different kinds of codes. Although the codes of professional organizations fulfill an important purpose of establishing profession-wide standards, they are voluntary and cannot be enforced. But, when a newsroom adopts a code, violations can be enforced by suspension or dismissal of the violators. Of course, codes are valuable only to the extent that they are practiced, and newsroom leaders have a responsibility both to enforce their codes and to set an example of propriety.

Journalists new to the profession may be surprised to find that the rank-and-file reporters, editors, and photojournalists often are more effective than their bosses in enforcing the code. John Carroll, former editor of the *Los Angeles Times*, says that among journalists “certain beliefs are very deeply held,” and that the core of

these beliefs is a newspaper's duty to the reader. "Those who transgress against the reader will pay dearly," Carroll says, adding that this intensity usually is masked by a laid-back newsroom demeanor. "There's informality and humor, but beneath the surface lies something deadly serious. It is a code. Sometimes the code is not even written down, but it is deeply believed in."<sup>4</sup> See his Point of View essay, "A 'Tribal Ferocity' Enforces the Code," at the end of this chapter for more of John Carroll's thoughts on the subject.

## The Goal: Make Ethically Sound Decisions

In this text and in the ethics course you are studying, you will continue your preparation for a journalism career by examining how good journalists make responsible decisions. The text will identify and discuss the principles of applied ethics that are a foundation for sound decision-making. As the course progresses, you will practice your decision-making skill in case studies. The goal is to encourage you to think critically and in concrete terms about the situation confronting you – to employ logic rather than respond reflexively.

You should know that there are capable, intelligent journalists who reject the idea that journalism ethics can be taught in a college course. They argue that journalists, and journalism students, either are honorable, or they are not. If they are honorable, this hypothesis continues, they will automatically make the right decision and so do not need this course. If they are not honorable, no college course is going to straighten them out. As an esteemed editor remarked to a college audience, "If your mom didn't teach you right from wrong, your college teacher is not going to be able to."

Although there is truth to that statement, it misses the point. The author of this textbook assumes that you *did* learn honesty and propriety in your early life. In fact, this course is intended to build on your own sense of right and wrong and to show how to apply that sense to solving ethics problems in the profession.

Journalism prizes essentially the same values as the rest of society – values like honesty and compassion – but sometimes journalists have conflicts in values that their fellow citizens do not. For example, your mom would instruct you to *always* go to the aid of someone in need. However, journalists may have to weigh intervention to help one person against their duty to inform the public in the same sort of adversity. If they intervene, they destroy the story's authenticity – and they fail to inform the public.

Another flaw in the critics' argument is the presumption that honorable journalists will reflexively do the right thing. Your mom may not have taught you a decision-making procedure. As you will discover, "the right thing" is not always obvious. You will see that sound decision-making goes beyond instinct and carefully considers – in a process called critical thinking – the pros and cons of various courses of action.

## Honing Decision Skills through Case Studies

The case-study method gives you a chance to work through difficult decisions in the classroom without consequences and without deadline pressure. The experience will prepare you for making on-the-spot ethical decisions in the real world. Each of the case studies selected for class discussion is intended to teach an important nuance about news media ethics.

In addition to explaining the principles of journalism ethics and teaching a decision-making process, this course in journalism ethics gives you two valuable opportunities:

- You can study the thinking of academics and experienced practitioners on recurring problems that journalists face. While you should always do your own critical thinking, you don't have to start with a blank slate. You can draw on the trial-and-error efforts of people who have gone before you in the profession. Their experiences can help you think clearly about the issues.
- You can practice your decision-making technique in a classroom setting where no one is hurt if a decision proves to be flawed. Just as a musician, an actor, or an athlete improves through practice, you benefit by thinking through the courses of action you might take in the case studies. You should emerge from the course with a deeper understanding of the challenges of the profession and with infinitely more confidence about your own decision-making.

You should also keep in mind that an applied-ethics course prepares you for a career in which you will be dealing with people who want to influence the way you report the news. Because journalists work for the public, it would be a betrayal of the public's trust to allow themselves to be diverted from the truth. The ethicist Bob Steele describes the manipulators:

You will be stonewalled by powerful people who will deter you from getting to the truth. You will be manipulated by savvy sources who do their best to unduly influence your stories. You will be used by those with ulterior motives who demand the cover of confidentiality in exchange for their information. You will be swayed by seemingly well-intentioned people who want to show you some favor in hopes that you, in return, will show them favoritism in the way you tell their story.<sup>5</sup>

A cautionary note is in order. Although ethical considerations may occasionally cost you a story, being an aggressive reporter and being ethical are not mutually exclusive. Keep in mind that your job is to inform your **audience**, and that means being a good, resourceful reporter who gets the story into the paper, on the air, or on the Web.

Given the real-life problems you will study in this course, it could be easy to conclude that the ethical choice is simple: Decide *against* publishing, broadcasting, or posting any news story that is the least bit questionable. But such a choice would itself be unethical. It would signify a failure to fulfill the journalist's mission of informing the public.

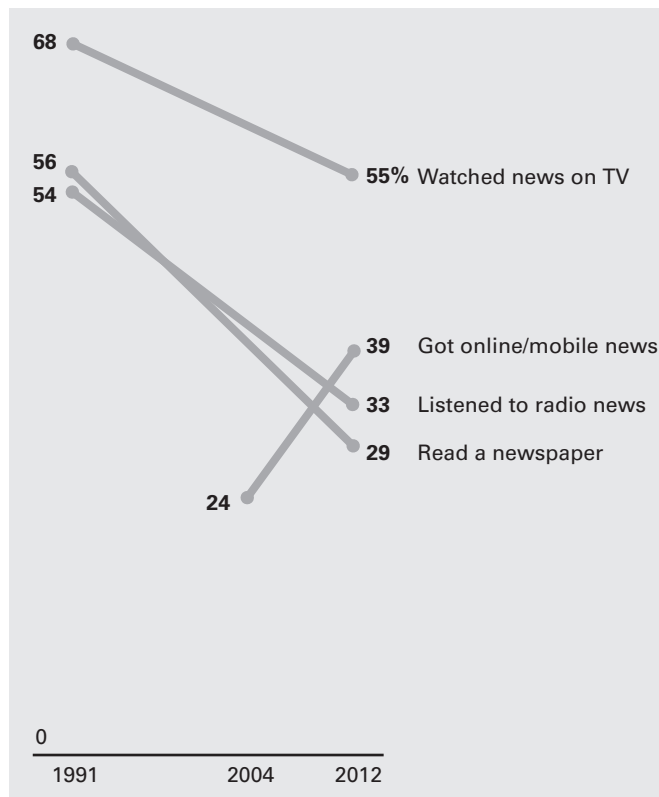


## The 21st-Century Debate over Ethics

As the new century arrived, the news industry entered a tumultuous period of transition as it reacted to a revolution in the technology of gathering and delivering the news.

Digital journalism is rapidly becoming the dominant news medium. And no wonder: The Web matches radio and television's speed; it can far exceed newspapers' depth of content; and it adds the unique dimension of an instantaneous conversation with the audience. With prose, video, still images, and audio available at the consumer's demand, the Web offers exciting opportunities. Not the least of these is the ability to involve the audience itself in reporting the news.

The statistics confirm the increasing popularity of digital as a source of news (Figure 1.2). In 2012 the Pew Research Center's biennial news consumption survey showed that 39 percent of respondents answered "online/mobile" to the question "Where did you get news yesterday?" That was more than the percentage who received news from radio (33) or newspapers (29) and second only to television (55). (The percentages add up to more than 100 because some respondents received news from multiple sources.)<sup>6</sup>



**Figure 1.2**  
Digital surpasses print as source of news, 1991–2012. Survey respondents were asked, “Where did you get news yesterday?”  
GRAPHIC COURTESY OF BILL MARSH.  
DATA REPRINTED BY PERMISSION OF THE PEW RESEARCH CENTER.

Unfortunately, online and mobile sites have been less successful in attracting advertising dollars. The revenue shortage threatens the credibility of digital news in two ways. First, websites have tended to skimp on staffing, which can translate into lapses in accuracy in covering the news, especially on a news-delivery medium based on speed. Second, the money crunch has led some business executives to experiment with revenue-producing ideas that blur the line between news and advertising.

Given the pervasive presence of the Internet and social media today, it is astonishing to realize that the digital era in journalism dates only to the mid-1990s. Students reading this textbook have literally grown up with digital journalism – along with texting, tweeting, and Facebook friending – and that is how their generation predominantly receives the news. But, in the context of 400 years of journalism history, the digital era is a blink of the eye.

Right now, in newsrooms across the country, the standards are being forged for digital journalism. Typically, the decision process is about a feverish rush to post a news story before someone else does, or about an expedient solution to a short-term, money-related problem such as a shortage of staff. Collectively, whether they realize it or not, the decision-makers are creating a template for the future of journalism.

At the same time, a controversy over ethical standards has exploded. In an environment in which so much has changed, we increasingly hear arguments that our professional principles must change as well. Some journalists propose that the neutral point of view should be replaced with news stories that both describe the event and tell the audience what the reporter thinks about it. Some say it would improve the news media's credibility if journalists revealed their opinions of the people and events they cover.

To the contrary, this textbook contends that it is precisely in a period of technological transition that we should adhere to time-honored principles.

"Ethical standards can't be tailored to a specific delivery medium," said Bill Marimow, editor of *The Philadelphia Inquirer*. "Doing the right thing can't be based on whether you're reporting in print, on broadcast or online."<sup>7</sup>

Michael Oreskes, who later became senior vice president and editorial director of NPR, observed early in the digital era that "pressures are great at times of change, and so it follows that times of change are when standards matter most." Having a website, Oreskes wrote, "doesn't change a simple editing rule: You shouldn't run something before you know it's true."<sup>8</sup>

Maureen Dowd of *The New York Times* wrote in a 2013 column emphasizing the importance of content over news-delivery medium: "It is not about pixels versus print. It is not about *how* you're reading – it is about *what* you're reading."<sup>9</sup>

Of course, journalism ethics evolves, as the profession demonstrated in formulating the ethics codes that proliferated in the second half of the twentieth century. That evolution continues in the digital age, but the evolutionary process should be based on collaboration and shared experience. It should reflect logic rather than reflex.

There is no question that the new technology has brought new ethical challenges. In the old order, there was nothing like social media, in which journalists participate both as professionals and as private citizens. Still, traditional ethical standards can

guide us. For example, social media make it easier for journalists to gather facts and images from citizens who either possess specialized knowledge or have witnessed and possibly photographed breaking news. The time-honored standard of verification still applies to this content. As another example, an old standard – that journalists should not publicly reveal their opinions on controversial matters – applies to the journalists' personal Facebook pages, which are manifestly public.

As this new edition of *The Ethical Journalist* was being prepared, the orderly evolution of journalism ethics was continuing as three professional organizations engaged in a collegial discussion of the subject. The ethics committee of the Society of Professional Journalists was examining its 1996 code and formulating revisions that were adopted in 2014 (its new code appears in Chapter 7). The Online News Association was producing an analysis of about 40 topics as a smorgasbord from which journalists could choose to create do-it-yourself ethics codes. The Radio Television Digital News Association was revising the code it adopted in 2000 when “Digital” did not appear in its name.

Journalism rests on three principles: First, it is an *independent act* of gathering and disseminating information. Second, the practitioner *owes first loyalty to the citizens who consume the news*. Third, the practitioner *is dedicated to truth-seeking and a discipline of verification*.

In the view of this textbook's author, those broad principles define journalism.<sup>10</sup> The definition could serve as a job description for anybody who aspires to be a journalist, provided he or she is committed to meeting the high standards that the definition implies. Such a person could be a staff member of a mainstream print, broadcast, or online organization – or a citizen blogger or tweeter or anyone else who purports to report and comment on the news, even as a hobby.

This text's purpose is to identify and discuss the ethics standards that dedicated journalists live by. Those standards help journalists gain *the trust* of citizens who are seeking the reliable information they need to be self-governing in a democracy. Ethical journalists, regardless of whether they are a part of an established news organization or reporting on their own, must be *credible*.

## A Different Role for Journalists

Today's news consumer can draw on a vast array of information sources. The day is long past when editors in a distant newsroom decided what information was worthy of passing along to the public, and what was not. “Journalists can no longer be information gatekeepers in a world in which gates on information no longer exist,” Cecilia Friend and Jane B. Singer wrote in *Online Journalism Ethics*.<sup>11</sup> Twenty-first-century journalism requires a different interpretation of the gatekeeper role. A democratic society now depends on journalists to be its surrogates in sifting the huge volume of information available, testing it for accuracy, and helping citizens understand it. “**Gatekeeping** in this world is not about keeping an item out of circulation,”

Friend and Singer wrote. “[I]t is about vetting items for their veracity and placing them within the broader context that is easily lost under the daily tidal wave of ‘new’ information.”<sup>12</sup>

In *The Elements of Journalism*, Bill Kovach and Tom Rosenstiel wrote that, in the new environment, a journalist must play the roles of Authenticator and Sense Maker. As Authenticator, the journalist works with audiences to sort through the different accounts of a news event and help them “know which of the facts they have encountered they should believe and which to discount.” As Sense Maker, the journalist puts “events in context in a way that turns information into knowledge.”<sup>13</sup>

Although the technology for delivering the news is changing radically, the public’s need for reliable information is the same. Confronting a daily deluge of information, citizens will look for sources they can trust to be accurate and fair, to be independent, and to be loyal above all to the citizens themselves.

More than ever, they will depend on ethical journalists.



## Point of View

# A “Tribal Ferocity” Enforces the Code

John Carroll

One reason I was drawn to my chosen career is its informality, in contrast to the real professions. Unlike doctors, lawyers or even jockeys, journalists have no entrance exams, no licenses, no governing board to pass solemn judgment when they transgress. Indeed, it is the constitutional right of every citizen, no matter how ignorant or how depraved, to be a journalist. This wild liberty, this official laxity, is one of journalism’s appeals.

I was always taken, too, by the kinds of people who practiced journalism. My father, Wallace Carroll, was editor and publisher of a regional newspaper, in Winston-Salem, North Carolina. The people he worked with seemed more vital and engaged than your normal run of adults. They talked animatedly about things

they were learning – things that were important, things that were absurd. They told hilarious jokes. I understood little about the work they did, except that it entailed typing, but I felt I’d like to hang around with such people when I grew up. Much later, after I’d been a journalist for years, I became aware of an utterance by Walter Lippmann that captured something I especially liked about life in the newsroom. “Journalism,” he declared, “is the last refuge of the vaguely talented.”

Here is something else I’ve come to realize: The looseness of the journalistic life, the seeming laxity of the newsroom, is an illusion. Yes, there’s informality and humor, but beneath the surface lies something deadly serious. It is a code. Sometimes the code is not even written

down, but it is deeply believed in. And, when violated, it is enforced with tribal ferocity.

Consider, for example, the recent events at *The New York Times*.

Before it was discovered that the young reporter Jayson Blair had fabricated several dozen stories, the news staff of *The Times* was already unhappy. Many members felt aggrieved at what they considered a high-handed style of editing. I know this because some were applying to me for jobs at the *Los Angeles Times*. But until Jayson Blair came along, the rumble of discontent remained just that, a low rumble.

When the staff learned that the paper had repeatedly misled its readers, the rumble became something more formidable: an insurrection. The aggrieved party was no longer merely the staff. It was the reader, and that meant the difference between a misdemeanor and a felony. Because the reader had been betrayed, the discontent acquired a moral force so great that it could only be answered by the dismissal of the ranking editors. The Blair scandal was a terrible event, but it also said something very positive about *The Times*, for it demonstrated beyond question the staff's commitment to the reader.

Several years ago, at the *Los Angeles Times*, we too had an insurrection. To outsiders the issue seemed arcane, but to the staff it was starkly

obvious. The paper had published a fat edition of its Sunday magazine devoted to the opening of the city's new sports and entertainment arena, called the Staples Center. Unknown to its readers – and to the newsroom staff – the paper had formed a secret partnership with Staples. The agreement was as follows: The newspaper would publish a special edition of the Sunday magazine; the developer would help the newspaper sell ads in it; and the two would split the proceeds. Thus was the independence of the newspaper compromised – and the reader betrayed.

I was not working at the newspaper at the time, but I've heard many accounts of a confrontation in the cafeteria between the staff and the publisher. It was not a civil discussion among respectful colleagues. Several people who told me about it invoked the image of a lynch mob. The Staples episode, too, led to the departure of the newspaper's top brass.

What does all this say about newspaper ethics? It says that certain beliefs are very deeply held. It says that a newspaper's duty to the reader is at the core of those beliefs. And it says that those who transgress against the reader will pay dearly.

This essay is excerpted from the Ruhl Lecture on Ethics delivered at the University of Oregon, May 6, 2004. John Carroll was then the editor of the *Los Angeles Times*.

## Notes

- 1 Svart video diary, *The Oregonian*, Sept. 28, 2007.
- 2 Author's telephone interviews with Michael Arrieta-Walden, Nov. 15 and Dec. 7, 2007.
- 3 Author's telephone interview with Sandra Rowe, Sept. 21, 2007.
- 4 John Carroll, Ruhl Lecture on Ethics, University of Oregon, May 6, 2004.
- 5 Bob Steele, "Why ethics matters," Poynter, 2002.
- 6 "In changing news landscape, even television is vulnerable," Pew Research Center, Sept. 27, 2012. The survey was conducted May 9–June 3, 2012, among 3,003 adults.
- 7 Bill Marimow, email exchange with the author, March 2013.

- 8 Michael Oreskes, "Navigating a minefield," *American Journalism Review*, Nov. 1999, 23.
- 9 Maureen Dowd, "As *Time* goes bye," *The New York Times*, Mar. 9, 2013.
- 10 In composing his definition of journalism, the author derived its components from Bill Kovach and Tom Rosenstiel, *The Elements of Journalism: What Newspeople Should Know and the Public Should Expect*, 3rd edn. (New York: Three Rivers Press, 2014).
- 11 Cecilia Friend and Jane B. Singer, *Online Journalism Ethics: Traditions and Transitions* (Armonk, NY: M. E. Sharpe, 2007), 218.
- 12 Ibid., 218.
- 13 Kovach and Rosenstiel, *The Elements of Journalism*, 27.

# 2 Ethics, the Bedrock of a Society

An introduction to terms and concepts in an applied-ethics course

## Learning Goals

This chapter will help you understand:

- the definition of ethics — discern what is right and wrong, then act on what is right;
- how ancient societies developed systems of ethics;
- how ethics and the law are similar, and how they differ;
- how a member of a society absorbs its ethical precepts;
- how a person's values shape the choices he or she makes; and
- the meaning of the term *ethical dilemma*; and how the ethical person makes decisions.

Virginia Gerst knows something about ethics. In May 2003, when she was arts and entertainment editor for the Pioneer Press chain of weeklies in the Chicago area, she ran a critical review of a restaurant. (The baby back ribs “tasted more fatty than meaty”; several other dishes were “rather run-of-the-mill.”)

That displeased the restaurant owner, who was both a prospective advertiser and county president of the restaurant owners' association. To placate the restaurateur, the Pioneer Press publisher had an advertising executive write a second review — one that would be positive. Gerst was ordered to run it. Instead, she quit.

“I understand that these are tough times for newspapers,” she wrote in her letter of resignation. “But economic concerns are not sufficient to make me sacrifice the integrity of a section I have worked for, cared about and worried over for two decades.”<sup>1</sup>

John Cruickshank understands ethics, too. In the midst of a management upheaval in November 2003, this career journalist was thrust into the job of publisher of the *Chicago Sun-Times* (owned by the same company as the Pioneer Press weeklies). Months later, he discovered a breach of trust that astonished and angered him. Using accounting ruses that fooled even the agency responsible for auditing newspaper circulations, departed executives had been overstating the paper's circulation by up to 50,000 copies a day, or 11 percent. Cruickshank did not hesitate to go public with his discovery. This was not just a commendable display of candor; it was costly to a paper

already a distant second to the *Chicago Tribune*. The paper was acknowledging that its advertisers had not been getting the exposure they had paid for, and it eventually had to repay those advertisers millions of dollars.<sup>2</sup>

## Defining Ethics: Action Is Required

**Ethics** is a set of moral principles, a code – often unwritten – that guides a person’s conduct. But more than that, as Gerst and Cruickshank demonstrated, ethics requires action.

“There are two aspects to ethics,” the ethicist Michael Josephson says. “The first involves the ability to discern right from wrong, good from evil, and propriety from impropriety. The second involves the commitment to do what is right, good, and proper.” As a practical matter, Josephson says, “ethics is about how we meet the challenge of doing the right thing when that will cost more than we want to pay.”<sup>3</sup> Or, in the words of Keith Woods, former dean of faculty of the Poynter Institute, “ethics is the pursuit of right when wrong is a strong possibility.”<sup>4</sup>

Gerst and Cruickshank were practicing **applied ethics**, the branch of moral philosophy that deals with making decisions about concrete cases in a profession or occupation.<sup>5</sup> That is what this text is about. Your study of applied ethics in journalism is intended to help you solve the challenges you may face in your career. To do so, you need to draw on your own sense of right and wrong, enhanced by an understanding of ethical theory and a systematic way of making decisions. The idea is to put ethics into action.

Although some scholars see a fine distinction between *ethics* and *morals*, the terms are used interchangeably in this text. *The Cambridge Dictionary of Philosophy* defines *ethics* as “the philosophical study of morality” and says *ethics* “is commonly used interchangeably with *morality*” to mean the subject matter of such a philosophical study.<sup>6</sup>

## The Origins of Ethical Theory

Tracing the origins of ethical thinking underscores the importance of ethics as a society’s bedrock foundation. Ethical theory evolved in ancient societies as a basis for justice and the orderly functioning of the group, a purpose it still serves today.

The most familiar example is the Ten Commandments from the Judeo-Christian heritage, which sets forth the rules that would govern the Hebrews freed from Egyptian captivity in about 1500 BCE. Among other things, they were admonished not to kill, steal, or lie.

An earlier example is Babylonia’s Code of Hammurabi. The laws promulgated by the ruler Hammurabi (1728–1646 BCE) directed that “the strong might not



oppress the weak” and outlined a system of justice that meant “the straight thing.” Hammurabi’s justice centered on rules governing property and contracts. A surgeon who caused the blindness of a man of standing would have his hand cut off, but if he caused the blindness of a slave, he could set things right by paying the owner half the value of the slave.<sup>7</sup>

Ancient Greece gave the English language the word *ethics*, which is derived from the Greek *ethos*, meaning character. The citizens of Athens created the concept that an ethical reasoning system should be based on an individual’s virtue and character, rather than rules. Because virtue was to be practiced as a lifelong habit, a Greek citizen would be honest simply because it would be unthinkable to be dishonest. The virtue philosophers of Athens – Socrates (469–399 BCE), Plato (427–347 BCE), and Aristotle (384–322 BCE) – believed that “the individual, in living a virtuous life, would form part of an overall virtuous community.”<sup>8</sup>

Socrates, who made the famous declaration that “the unexamined life is not worth living,” established a line of questioning intended to provoke thought. He “roamed Greece probing and challenging his brethren’s ideas about such abstract concepts as justice and goodness,” ethics scholar Louis A. Day wrote. “This Socratic method of inquiry, consisting of relentless questions and answers about the nature of moral conduct, has proved to be a durable commodity, continuing to touch off heated discussions about morality in barrooms and classrooms alike.”<sup>9</sup>

Ethical thinking evolved in societies around the world. A common thread is found in how various cultures articulated what is best known as the Golden Rule. This rule defines the essence of being an ethical person, which is to consider the needs of others. Today we state it as “Do unto others as you would have them do unto you.” The author Rushworth M. Kidder traced the “criterion of reversibility”:

This rule, familiar to students of the Bible, is often thought of as a narrowly Christian dictum. To be sure, it appears in the book of Matthew: “All things whatsoever ye would that men should do to you, do ye even so to them: for this is the law and the prophets.” But Jews find it in the Talmud, which says, “That which you hold as detestable, do not do to your neighbor. That is the whole law: the rest is but commentary.” Or, as it appears in the teachings of Islam, “None of you is a believer if he does not desire for his brother that which he desires for himself.” ... The label “golden” was applied by Confucius (551–479 BCE), who wrote: “Here certainly is the golden maxim: Do not do to others which we do not want them to do to us.”<sup>10</sup>

## The Relationship of Ethics and the Law

Some laws are based on ethical precepts, such as those forbidding murder and stealing, and civil lawsuits can be filed to require someone to live up to contractual promises. However, ethics and law emphatically are not the same. Law sets forth minimal standards of conduct. Law states what a person *is required* to do; ethics suggests what a person *ought* to do. An ethical person, as Michael Josephson says, “often chooses to

do more than the law requires and less than it allows.”<sup>11</sup> Potter Stewart, a former US Supreme Court justice, put it this way: “Ethics is knowing the difference between what you have a right to do and what is right to do.”

Some laws of the past are universally regarded today as morally wrong. The Supreme Court, in *Dred Scott v. Sandford* (1857), upheld the principle of slavery and, in *Plessy v. Ferguson* (1896), the principle of racial segregation. Courageous leaders like Martin Luther King Jr. defied state segregation laws in the South in the civil rights movement of the 1950s and 1960s. Theirs were acts of *civil disobedience*, in which the person who disobeys is convinced of the laws’ immorality, is nonviolent, and is willing to pay the price for disobedience.<sup>12</sup>

In the late 1940s trials of Germans accused of war crimes, the Nuremberg tribunals representing the victorious Allied powers established the principle that the crimes cannot be excused on the grounds that they are committed under orders of the state. An individual has the moral duty to reject blatantly criminal orders.

## Transmitting a Society’s Ethical Precepts

Through the centuries, societies have passed down ethical precepts from one generation to the next. Over time, through a process called **socialization**, the new generation absorbs the values of the community. Louis A. Day identified four main conduits for transmitting values, in this chronological sequence: family, peer groups, role models, and societal institutions.

Think about how each group influenced you as you grew up. You should be aware, too, that the process continues throughout adulthood.

Consider the influence of family. When parents urge toddlers to share with their siblings or friends, they get their first exposure to the idea of considering the needs of others. Not all lessons learned in the home are positive, of course. Day points out that a parent who writes a phony excuse to a teacher saying that “Johnny was sick yesterday” signals to the child that lying is permissible, even though the parent would never state such a thing.

Next are peer groups. As children grow older, the values instilled in the home are exposed, for good or ill, to the influence of friends in the neighborhood and in school. There is a powerful urge to “go with the crowd.”

Then there are role models. They could be famous people, living or dead, such as athletes or musicians. Or they could be people one knows personally, such as teachers and ministers, or drug dealers. What these disparate individuals have in common is the fact that they occupy a prominent place in the minds of impressionable young people who want to emulate them.

The fourth source of influence is societal institutions. Through drama, television and the cinema transmit ethical standards – as well as standards that some would say are *not* ethical. When you graduate and go into the workforce, you will find that companies, too, are influential societal institutions. “Within each organization there is