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The End Can Justify the Means—But Rarely

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❑ *Journalists say sometimes that the end does not justify the means, but they can act otherwise. Even if there are only rare instances in which the end can justify the means, some guidelines are needed to determine when those situations exist. I propose six questions for application to this thorny issue and for avoiding extremes of moral laxity and false scrupulosity.*

While discussing the *New York Times*'s use of stolen information in the Pentagon Papers case, Hulteng (1985) pointed to the quite different position the newspaper took when Senator Joseph R. McCarthy (R–WI) made public material that he had stolen from a government agency:

> The *Times* editors would seem to have applied a double standard of sorts in the cases. Presumably they would argue that McCarthy had been pursuing a personal, headline-grabbing vendetta, and using the stolen papers to destroy others' reputations, while in the Pentagon Papers case the editors were acting in the public interest. But if you shake all that down to its essentials it strongly resembles an "end justifies the means" argument. Philosophers, moralists, logicians, and theologians have never had much regard for that line of reasoning, although it has always had at least some supporters in the ranks. (p. 126)

Indeed, among mass media persons, opposition to the position that the end justifies the means, although frequently stated, often seems to be more verbal than real. It is easy to say that the end does not justify the means, but it is difficult to resist using unethical means when the means are employed to achieve a worthy goal.

Reflecting on his first 5 years as curator of the Nieman Foundation, Thomson (1978) said the journalists with whom he has had contact have, simultaneously, high-road and low-road responses to questions about media ethics. "The ends are so patently lofty, yet the means are

often so tawdry" (p. 11). If they can get away with it, journalists say confidently, they will do anything—lie, cheat, steal, pay money, wiretap—in pursuit of the lofty goals of journalism. "But behind the bravado of some responses," Thomson said, "one soon detects tell-tale signs of uncertainty; a difficulty in laying down hard and fast rules as to how far one would really go" (p. 11).

In general, two problems exist: hypocrisy and confusion. Some journalists piously state that the end does not justify the means but in the next breath attempt to justify the use of bad means to achieve good goals. A highly public example of this took place when Columbia Broadcasting System's (CBS, 1981) *60 Minutes* devoted an entire hour to self-examination of ethical questions raised by past programs shown on *60 Minutes*. Other journalists believe that there may be times when the end does justify the means, but they are not sure what those times are and what means can be justified by what ends. I propose some clarifications and guidelines that may ease these two problems.

First, it is important to realize that "the end does not justify the means" is a misleading rubric. At the very least, the statement must be extended to read, "A *good* end does not justify the use of a *bad* means." A good means to achieve a good end—for example, the use of fair and accurate reporting as a means to achieve a good reputation for a newspaper—does not pose an ethical problem. Achievement of a bad end is so unacceptable that it, too, poses no problem.

For most journalists, however, the statement really becomes a question: Does a good end *ever* justify the use of a bad means? Although "always" and "never" are possible answers, "sometimes" is the general reply. "Always" would imply that "anything can be done for any purpose," but no journalist would commit murder to obtain a weather report or set fire to a nursing home to have a sensational photo for the front page. "Never" does have a greater number of adherents. For example, there are those who would agree with the rigorist view of Immanuel Kant that it would be a crime "to tell a falsehood to a murderer who asked us whether our friend, of whom he was in pursuit, had not taken refuge in our house" (Kant, 1927, p. 361). Yet, even many Kantians would agree with Acton (1970) that "Kant's account of the Categorical Imperative does not require him to adopt this most unplausible view" and that "He seems not to have given due weight to situations, much discussed by philosophers since his day, in which one moral claim conflicts with another" (p. 64). Thus, for most journalists, it seems likely that their answer will fall somewhere between the two extremes.

However, faced with a specific case, how ought a journalist decide whether this is one of the times in which the good end does justify the

use of bad means? Consideration of the following set of questions may help one find the answer.

Are the Means Really Bad or Morally Evil?

Much needless worry is occasioned by the failure to distinguish actions that are distasteful, unpopular, unpolitic, ineffective, and so on, from actions that are truly morally evil. To say that an object or action is distasteful is not to comment on the goodness or badness of the object or action; rather, it is to describe an emotional reaction. Many people, for instance, would say "Ugh!" to an advertisement that combines the colors orange and purple. Similarly, an unpopular subject or action is one that, regardless of its goodness or badness, is simply disliked by a large number of people. Running editorials on the front page of a metropolitan daily newspaper might be an example. And politically naive or ineffective actions are those that, regardless of their goodness or badness, have not achieved an intended goal in the past and probably will not in the future. Use of a Brahms symphony as a lead-in to the newscast at a hard rock radio station may be an ineffective means to gain additional listeners, but it is not an evil means.

Likewise, although it is generally good to obey civil and criminal laws, the realms of law and of morality are not coextensive (Murray, 1960, pp. 165–167). Many lies are not legally forbidden although they may be morally wrong. And our experience with civil disobedience reminds us that it is not always morally wrong to break a law.

There is great and legitimate dispute concerning the morality of a considerable number of actions. Glasser (1985), for example, argued persuasively that there is nothing morally wrong in the action of secretly taping an interview (see Meyer, 1987, p. 82). I do not believe objective reporting is impossible, but if it was (as many writers claim), a subjective news story would not be morally wrong, for no one can be faulted for failing to do what is impossible. Though some freebies (amenities provided by sources to reporters) are bribes, others are simple gifts; thus, accepting a freebie to maintain the good will of a news source may be contrary to publication policy. Policy aside, however, it is not necessarily evil. Not even all deceits are reprehensible: Wearing a toupee, false teeth, contact lenses, false eyelashes, and so on, may deceive an observer but they are not morally wrong.[1]

On the other hand, some broad categories of actions are generally recognized as evil: rape, unprovoked assault, robbery, invasion of a legitimate privacy, burglary, lying. Several of these, especially the last

three, are often means that journalists are tempted to use in order to achieve some noble good.

In general, therefore, only when the answer to the first question of whether means are morally bad or good is clearly "yes" does one need to examine the other factors involved in a means/end situation.

Further understanding of what is meant by "bad" can be derived from the following discussion of what is meant by "good."

Is the End Really Good?

It is true the purpose for which something is done lies in the intention of the doer. The outsider often is unsure of what is going on in another person's mind; this is one reason why it is difficult to judge the morality of another person's actions.

The list of questions being presented here is intended primarily to help journalists judge their own actions, not the actions of others. Journalists, like other people, are usually capable of determining why they do something.

What do we mean, therefore, when we say that an object or action is morally good? Over the centuries, many answers have been given. One, stemming from Aristotle, affirms that the morally good is that which contributes to "the development of human potentialities as perfectly as possible, and thus the fulfilling or realizing of one's nature, . . . considering all the important elements of human nature, including [its] inherent social character" (Varga, 1978, p. 61).

Adler (1985), in expanding on this position, distinguished real from apparent goods. The latter are those objects that "*appear* good to us simply *because* we actually desire them," whereas "real goods are things all of us by nature need, whether or not we consciously desire them as the objects of our acquired wants" (pp. 124–125). Thus, for instance, veracity is a real good because it is something we need in order to develop our human potentialities as perfectly as possible. As Bok (1979) pointed out, effective social intercourse would be impossible without veracity.

Why then do some journalists choose to lie rather than to tell the truth? Very often, they choose to do so because the lie appears to be good because, it will achieve a goal which is a real good. For example, a reporter might tell a lie in order to protect the life of an informant who has provided crucial information about municipal corruption. Saving the life of an innocent person does contribute to the development of human potentiality—it is an element of the inherent social character of human nature, for we could not survive unless we aided one another—

and is, therefore, a real good.[2] But what about the lie that is spoken to achieve this? As Bok (1979) said, in the absence of special considerations, "we must at the very least accept as an initial premise Aristotle's view that lying is 'mean and culpable' " (p. 32).

Is it Probable That the Means Will Achieve the End?

In order to bring about changes in, and better regulation of, local abortion clinics, several *Chicago Sun-Times* investigators lied and illegally photocopied medical records for a series on abortion profiteers published in November 1978. In this case, the end was achieved: New state laws regulating outpatient abortion clinics were passed; two clinics were closed, several doctors who had been involved left the state, and one went to prison (Christians, Rotzoll, & Fackler, 1987, pp. 50–51).

It is probably rare that a journalistic activity employing immoral means achieves no good at all. If the stories are true, they at least add to the readers' warehouse of knowledge, and to increase knowledge is, in itself, a good thing. But such good may not be the right good. Assuming that journalists can answer Question 2 "Is the end really good?" clearly and affirmatively, Question 3 "Is it probable the means will achieve the end?" requires that those journalists be confident that a specific good, the one offered as justification for use of the morally bad means, will be achieved.

For example, if a reporter secretly bugs a grand jury proceeding hoping to find evidence of corruption on the part of the prosecutor but finds no such evidence, he or she may achieve some good by writing the story and claiming that, at least, the story helps readers understand how grand juries work. This latter good, however, is not the one the reporter hoped would justify the morally tainted action. In order to answer the question about the means achieving the end in the affirmative, the reporter would have to have had, in addition, strong evidence the grand jury proceedings were corrupt and that the bugging would reveal this fact. In this and in other similar cases, the intended good is the correction or avoidance of some evil. This presupposes that the evil does, in fact, exist, or at least that the journalist has a reasonable cause to believe it exists.

How confident should a journalist be that a bad means will actually achieve a specific good end? The answer can be more easily set forth in relation to the next question.

Is the Same Good Possible Using Other Means?

Although she restricted her attention to the bad means known as lying, Bok (1979) stated a principle that has much wider application: "In any situation where a lie is a possible choice, one must first seek truthful alternatives" (p. 33). Lambeth (1986) elaborated on the point, saying, "patience, imagination, determination, and craftsmanship will usually uncover stories that truly need to be made public without resort to deceptive means" (p. 130).

The bad means is often easy—a shortcut to the good end. Perhaps journalists were influenced by methods long employed in the legal justice system, where the use of torture, deprivation of legal counsel, entrapment, wire-tapping, and other unethical practices were often used to bring "criminals" to "justice." Alternatives to these methods took more work, time, and ingenuity, but we have come to demand those ethical alternatives and to recognize they can get the job done. The same is almost always true in journalism.

In 1982, for instance, the *Milwaukee Journal* consumer affairs reporter learned that Roman Blenski, a man who had been repeatedly reported to the Better Business Bureau and to the Attorney General's office for questionable money-making and fund-raising schemes, was again active in the community. In order to make the public aware of what seemed to be another scam, the reporter answered Blenski's newspaper ad, lied about her name, got herself accepted for a tryout as a participant in the scheme, and spent part of a day (along with at least one other new employee) making telephone pitches that she knew were misleading and probably illegal. All this was reported in a front-page story under the headline, "State May Not Buy Ad's Hard-Sell Pitch" (Freese, 1982, pp. 1, 7).

The story was lively and interesting, but the means employed to produce it included lying and cooperation in wrongdoing. The reporter gave a false name because, no doubt, she feared Blenski would recognize her true name, would know she is a journalist, and would not admit her to his office. By agreeing to make some telephone calls for him, she was able to witness his operation at some length.

But a different reporter, one not known to Blenski, could have been assigned to the story and could have left Blenski's office before participating in his telephone scheme. Or, to avoid the deception involved in not alerting a news source to the fact that he or she is a reporter, the journalist could simply have interviewed others who responded to the advertisement. The latter, in fact, is exactly what a

different *Milwaukee Journal* reporter did 3 years later when Blenski again started another suspicious fund-raising scheme (Strini, 1985, p. 7).

It is true, of course, that conscientious journalists may doubt whether an activity employing good means can be as effective as one employing bad means. But it is also possible, as I mentioned in reference to Question 3, that an activity employing bad means may not actually achieve the intended good end. Thus, answers to these two questions need to play off each other. The less confident journalists are that the intended good end will be achieved, the more they should seek alternatives to bad means, even though they may not be equally effective. In other words, when journalists have some doubt that the bad means will really achieve the good end, they resolve the doubt by abandoning the project. On the other hand, if they doubt that an alternative good means will accomplish as much as a bad means, the doubt is resolved by choosing the alternative good means. Preference always favors good means.

For example, a reporter might be tempted to steal files from a candidate for public office, hoping the files will reveal serious wrongdoing. Since the reporter has no real confidence that the bad means (theft) will achieve the good end (alerting voters to the untrustworthiness of a political candidate), the action should be abandoned. Or, alternatively, the reporter should employ another means (a search through public records) to acquire the desired information. The latter may take longer and may not provide as much information, but the good means has a disproportionate weight on the scales mandated by the moral obligation to do good.

Even if a journalist answers "yes" to the first three questions and "no" to the fourth, there are still at least two more questions that should be raised.

Is the Good End Clearly and Overwhelmingly Greater Than the Bad Means That Will Be Used to Attain it?

For some journalists, this is not only the principal question but also the only question. As Meyer (1987) pointed out, those who employ a utilitarian logic assert quite simply that "Ends do justify the means if the utility of the ends outweighs the disutility of the means" (p. 82). The question is important, but the answer is not as easy to determine.

Neither means nor ends come with numerical weights attached. If they did, we could throw them on a scale and quickly determine which is the heavier. Six pounds of good end would obviously outweigh one pound of bad means. In addition, several bad means will sometimes be used to achieve a good end. Meyer (1987), for example, discussed a

case in which electronic eavesdropping, invasion of privacy, and outright lying were employed to discover a presidential candidate's choice for vice-president (p. 83). On the other hand, sometimes a single bad means can bring about several good ends, as when a lie to an airplane hijacker might bring the release of hostages, the safety of the airplane, and the capture of the hijacker.

If our criterion of good is a thing or act that contributes to the achievement of the full potential of human beings, there are some goods (ends) that make this contribution extensively and thoroughly, whereas some other actions (means) inhibit this achievement only very slightly. For example, there are some ends that will benefit a vast number of persons, importantly, over a long period of time whereas the means to achieve such ends will harm only a single person, slightly, and only once.

For instance, Lambeth (1986), in discussing syndicated columnist Bob Greene's communications with a man who called himself "Moulded to Murder" (MTM), added a few possibilities to the facts of the case. Through his column, Greene persuaded MTM to telephone him. In an early column, Greene stated the phone was not tapped, but it later was tapped, and, by tracing a call, the police caught MTM. Lambeth asked:

> What if MTM, or some other such sick person, had demanded a second assurance, in writing, that no tap would be placed on the telephone line? What if that assurance were made the condition of any other conversations with the journalist, and yet the police and psychiatrists were unanimous in their judgment that an end to the conversations would prompt a killing spree? Many, probably most, would have deceived a sick man rather than risk innocent lives. (p. 43)

What Bok (1979) said about lying can be expanded to cover all types of bad means. All bad means carry an initial negative weight; all require explanation and an effort at justification, whereas good means do not. In other words, behind the often repeated statement that the "end does not justify the means" stands a basic truth: Most of the time it does not, and those who think that, in some particular instance it does, are burdened with the need to justify their position. But it is easy, often too easy, for people to justify their actions to themselves. Therefore, the real test requires that journalists be able to justify their actions to those who will be most affected by them or who can most impartially judge them. This leads us to the final question.

Will the Action of Employing Bad Means to Achieve a Good End Withstand the Test of Publicity?

There are at least three situations in which journalists should be able to present to others their justification for employing a bad means to achieve a good end.

First, there are moments when journalists contemplate using such means in a particular case but have not yet done so. A reporter is tempted, for example, to claim to be a doctor to gain access to medical records in a nursing home where, according to a tip given to the journalist, patients are receiving woefully inadequate attention. The test of publicity requires that, before proceeding, the reporter outline the plan to others and attempt to convince them that the patients' welfare requires such a deception.

But with whom should the reporter discuss the plan? Obviously, it would do no good to reveal it to the operators of the nursing home, for they would then deny the reporter admission. The plan probably should be cleared with supervisors, but some editors would not be so impartial or skeptical about such a deception that they could see a valid reason for its necessity. Yet that is exactly the type of person who is needed: a person who will challenge the intended action and who, in addition, has the good judgment to give it a reasonable evaluation. Such a person may be another reporter, an ombudsman, former teacher, minister, social worker, lawyer, doctor—any confidant who possesses the requisite qualities of impartiality, moral commitment, and good sense.

If the reporter then decides to go ahead with the plan, the test of publicity additionally requires that the published story itself also contain justification of the methods employed. As Lambeth (1986) said, "Expecting . . . that media report fully to the public about deception and the reasons for it will maximize the chances that such deception will be used only in cases in which there is a vital public interest at stake" (p. 128). Knowing that actions must be justified, not only to an impartial confidant but also to the public at large, moves the reporter to review carefully the aforementioned questions.

Finally, even apart from the specific case, journalists must be willing to discuss moral issues of this type with their peers and their critics, not only for their own sakes but also for the sake of the next generation of journalists. As Bok (1979) said in reference to lying but in terms applicable to other means:

> If such issues were publicly addressed, then those who plan to enter professions where deceptive practices are common would have the

> opportunity in professional schools to consider how to respond before becoming enmeshed in situations which seem to require lying. They could confront hypothetical cases similar to many they will later encounter; articulate and weigh the reasons supporting the conflicting choices; and debate their strengths and weaknesses. A public test of this kind would remove the self-righteous belief in the unquestionable necessity for their lies on the part of those who operate with secret principles, fully trusting the blamelessness of their motives. (p. 106)

The failure to examine carefully the key questions regarding the ends/means situations can cause not only moral laxity but also its opposite—a false scrupulosity. In particular, the tendency to label merely unpopular, unconventional, ineffective, or distasteful means as morally suspect distorts the entire reasoning process. At some level of consciousness, journalists know that those morally good or indifferent means are really all right; thus they are tempted to give equal approbation to all means, including ones that are not all right.

Careful examination of the latter, as suggested, however, will reveal that almost never will a good end justify their use. As Lambeth (1986) said:

> The difficulty is precisely that the ends of journalists cannot safely be said to *usually* justify means. To make such an assertion is to trivialize or foreclose giving serious, principled thought to each case. That some, perhaps many, journalists can make these decisions so lightly shows a need for a consideration of basics. (p. 123)

Notes

1. Louis Hodges (1988), in a well-argued article, presented the opposite view. However, on his point that "deceit, whatever its form, is almost universally regarded as morally wrong . . . because it usually hurts someone" (p. 27), he was mistaken. Lies, it is true, are deceptions, and lies are widely regarded as morally wrong, but not all deceptions are lies (Bok, 1979, p. 14), and not all deceptions (even all white lies, for that matter) hurt someone. Many deceptions are actions taken (rather than words spoken) to mislead the perceptions of other people. In addition to the examples mentioned in the text, most people would find nothing morally wrong with the stage magician's attempts to deceive his or her audience while "sawing a woman in half," or efforts of wealthy people to deceive jewel thieves by wearing paste imitations, or the

practice of many people to deceive burglars by leaving lights on in the house when they are away from home.

2. Among the many works that explained the moral good in greater detail, see Simpson (1987), Finnis (1980), and Kainz (1988).

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