Chapter 10

Journalism

The Ethical Responsibilities of Journalists
Truth, Neutrality, and Conflict of Interest
Ethical Boundaries to Media Coverage
Privacy, Politics, and the Press
Do Journalism Ethics and Values Apply to New Media?

As with other professions, the discussion of ethics in journalism requires an understanding of the role of the profession. This is because that role helps shape the ethical obligations of individual journalists, media firms, and the profession as a whole. Understanding that role, however, can be difficult. First, it may be thought that journalists' primary obligations are owed to members of the public, who are in essence the customers of the industry, since they rely on different sorts of information provided by the media in order to make various decisions, from the mundane (pertaining to the weather, for example) to the more important (such as those pertaining to safety, social issues, and government). A second view, somewhat related to the first, is that journalism plays a more embedded role in democratic societies: the role of the profession is to keep the public informed about issues relevant to maintaining effective government. On this view, the obligation is not so much to "news consumers" in the public specifically but to the society as a whole, since journalism is one part of the machinery of democracy. A third view recognizes that journalism is a business, and that media firms should be operated as such. This would allow journalists to determine the content and style of news coverage based on the size of the audience that would be attracted, since audience size typically determines company profits.

From these considerations, certain other questions arise about other possible obligations. It is typically thought, for instance, that journalists have an obligation to report the news objectively, meaning the presentation of facts should not be in a manner that is slanted or suggestive. (The exception would be editorials, which are by nature not objective but instead aim to defend a particular position.) But are there limits to how objectively the news should be reported? And is it even possible to report news objectively? A second question concerns the basic duty to respect the privacy of others; in reporting news, infringement on others' privacy—that of politicians, entertainers, and others—may be necessary in order to educate the public, turn a profit, or whatever may be the goal of the profession.

The question of objectivity is addressed in the first article, written by David Detmer. While there is some disagreement about the precise meaning of objectivity and its application to the news media in a democracy, there is general agreement that media coverage should not be slanted heavily in favor of the government. Doing so would cancel one of the functions of the press, which is to keep an eye on government activities and report those activities to the public; this ostensibly keeps government in check. Yet, Detmer points to various examples where the coverage provided by the mass media in the United States has been unbalanced in favor of the U.S. government. These examples often concern foreign affairs, and such coverage serves to create positive impressions of government that are unwarranted. After citing the examples, Detmer offers an explanation of this problem, as well as suggestions for how journalists can avoid their slanted coverage and thus practice their profession more ethically.

If it is indeed the case that journalists are ethically required to report the news objectively, it may be thought that journalists themselves should be neutral with respect to the news they report. The latter view is different, and it may well be unwarranted; as journalists are people, it is likely impossible for them not to have opinions about the news items they cover and report on. Because they certainly possess opinions, journalists may be motivated to become actively involved in political movements or in other areas that they are obligated to report on in a neutral fashion. The possibilities for conflict of interest should be apparent: journalists who actively involve themselves this way cannot (some would say) be trusted to report on that news objectively, and further, their active political involvement (some would say) engenders connections and commitments that make it impossible to carry out their professional duties objectively. Similar conflicts of interest can be alleged when journalists supplement their incomes through tangential means, such

as when one accepts payment for speaking to organizations or at events with a certain political focus. Judith Lichtenberg examines these issues closely and finds that the ethical considerations are more complex and intricate than one might initially think. Even so, she concludes that journalists indeed ought to refrain from these activities, though for reasons that might be different from the "obvious" ones.

The notion of "freedom of the press" is often thought to be significant in liberal democracies. It derives from the basic value of freedom of speech, which in democracies is important in its own right, but "freedom of the press" is thought to be crucial to the journalist's role of keeping citizens informed politically. A government-run press or government censorship clearly runs counter to this goal. However, as Raphael Cohen-Almagor notes in his article, freedom of the press does not mean that there are no bounds whatsoever to media coverage. There are limits, though determining the ethically acceptable limits may be difficult; those limits, according to Cohen-Almagor, depend on a number of considerations, including the circumstances of the particular democracy in question and the type of news event being covered. He analyzes the issue carefully before arriving at specific guidelines for how media coverage in a liberal democracy ought to be limited.

A specific question concerning the ethical limits of media coverage is whether the privacy of public officials is fair game, and if so to what degree. As Dennis F. Thompson points out, studies indicate that the United States seems overly preoccupied with the private lives of their public figures. On one hand, it can be argued that all individuals possess a right to privacy, and that journalists unethically violate that right when they investigate and report on private aspects of anyone's life. On the other hand, it can be argued that information about the private lives of certain public figures, especially political leaders, is relevant in a democracy, since some citizens choose their leaders partly on the basis of character. The excessive media coverage of the Bill Clinton–Monica Lewinsky affair goes to this very issue. Thompson argues for certain general criteria that should be used when evaluating whether media coverage of private matters is ethically permissible.

In the final article, Fred Mann addresses ethical issues relating not to the content of media coverage but to the form of that coverage. Mann is concerned specifically with online media. Most newspapers have by now established their own Web sites, and Mann points out that this way of informing the public raises new kinds of ethical questions and issues. Online news has the potential to compromise traditional journalistic values, such as honesty, objectivity, and accuracy; when the "newspaper" is updated constantly rather than once or twice a day, mistakes are far more likely to occur. However, the single biggest potential factor, according to Mann, is advertising. Newspapers are still businesses, and taking their business online creates new advertising (and thus new profit) opportunities, which in turn create certain ethical tensions. Mann explores these issues through his own experience as editor at a major newspaper, and though he freely admits there are more questions than answers at this point, he provides some keys to remaining ethical as we begin this new age of journalism.

The Ethical Responsibilities of Journalists

DAVID DETMER

Introduction

Democracies cannot function without an effective system of political communication. For if citizens are not aware of the policies that are carried out in their name, they are powerless to oppose them. Consequently, one of the chief responsibilities of journalists in a democracy is to provide their readers (or viewers or listeners) with news accounts that are accurate, reasonably comprehensive, and free from subordination to governmental or corporate power (or to that of other "special interests").

Certainly, most mass media journalists in the United States accept such a characterization of their responsibility, which they interpret as entailing an obligation on their part to present news in an "objective," "nonpartisan," "unbiased," "balanced," "nonideological," and "neutral" manner. Other journalists, however, interpret this same responsibility as justifying their adoption of a highly specific bias—that of acting as a "counterweight" to, or "watchdog" of, governmental power.[1] Despite this disagreement, there is a consensus among journalists holding it to be a serious breach of their professional ethics to tilt their news coverage heavily in *favor* of official U.S. government perspectives, thus depriving their audience of the information needed to evaluate governmental policies critically. And yet these earnest professionals often do, though usually unwittingly, end up behaving in precisely this unethical fashion, and do so virtually without exception in the sphere of coverage of international affairs. In this essay I wish to (a) document that this is indeed the case, (b) offer an explanation as to *why* it is the case, and (c) suggest ways in which journalists might change their behavior so as to do a better job of meeting their ethical obligations.

Documenting the Problem

Let us begin by considering how the mainstream media cover censorship of the press when it is practiced in foreign countries. Since freedom of the press is obviously a value of great importance to journalists and to news organizations, and since press censorship presumably is "newsworthy," and of interest to readers and viewers of journalism, one would expect the press to be ever ready to focus on it. Obviously, this is not to say that it would be reasonable to expect the press to cover *all,* or even most, instances of censorship—there are too many such instances, and there is a finite amount of space in newspapers and time in news broadcasts available for such coverage. Thus, we might well expect even the most responsible of news media to ignore instances of censorship which are small in scale, minor in effect, or which occur in places that are otherwise of little current interest to their readers or viewers. But we would not expect a *responsible* press to highlight censorship activities of our "enemies," as defined by those who wield political power in our country, while ignoring much more serious instances of censorship perpetrated by those officially designated our "friends."

One good test of the responsibility of mainstream U.S. journalism in its coverage of freedom

[1]Often this is put in more general terms, and it is not explicitly spelled out that the "power" which journalism is to confront in its zeal to unearth the truth is that of the government. Still, if power itself is what needs watching, one wonders why journalists do not see it as their duty to provide a counterweight to *corporate* power, given its enormous, and steadily increasing, dominance in American culture. I trust my readers will not regard me as overly cynical if I suggest that the answer lies in the fact that American mass media outlets, without exception, either are owned by giant corporations or else are such entities themselves.

David Detmer is Associate Professor of Philosophy at Purdue University Calumet.
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of the press, then, would be to compare its coverage of censorship as practiced in the 1980s by the governments of Nicaragua and El Salvador. These two countries are geographically proximate to each other and to the U.S., and were in the 1980s of interest to the U.S. news audience. (Or at least, there was at that time a great deal of news coverage of these two countries, in comparison to most foreign nations.) Thus, to the extent that the U.S. press is unbiased and non-partisan, we should expect its relative coverage of censorship in the two countries to vary in accordance with such factors as the relative scale and severity of effects of the censorship in the two nations. On the other hand, since El Salvador was officially our "friend" and a "fledgling democracy," while Nicaragua under the Sandinistas was officially our "enemy" and a "totalitarian dungeon," we should expect a more partisan press, a less responsible one, to play up censorship in Nicaragua while ignoring it as much as possible in El Salvador. What, then, do we find?

Censorship in Nicaragua did indeed receive extensive coverage during the period in question. For example, one study of 104 articles from the *Boston Globe, New York Times,* and *Washington Post* dealing with the 1984 Nicaraguan elections, found that 65 mentioned press censorship.[2] Another study, conducted in 1988, found 263 references in the *New York Times* to the difficulties of the Nicaraguan newspaper *La Prensa* over a period of four years.[3]

Coverage of censorship in El Salvador, on the other hand, was so scanty that I cannot assume my readers to know of the existence of such censorship, let alone be familiar with its details. Thus, I quote the following from the September 1985 Americas Watch Report on El Salvador:

> Any discussion of press freedom in El Salvador must begin by pointing out the elimination of the country's two main opposition newspapers. *La Crónica del Pueblo* was closed in 1980 when members of the security forces raided a San Salvador coffee shop where the paper's editor and one of its photographers were meeting. Editor Jaime Suarez, a 31-year-old prize-winning poet, and Cesar Najarro, were disemboweled by machete and then shot. In 1981 *El Independiente* was closed when army tanks surrounded its offices. This was the culmination of a long series of attacks, which included the machinegunning of a 14-year-old newsboy, bombing and assassination attempts against editor Jorge Pinto. The Archdiocese's radio station, WMAX, spent several years out of commission after its offices were repeatedly bombed. Since 1981 the Salvadoran press has either supported the government or criticized it from a right-wing perspective. Daily newspapers do not publish criticism . . . from a leftist perspective, nor do they print stories critical of government forces from a human rights standpoint.[4]

In contrast to the extensive coverage in the *New York Times* of censorship in Nicaragua, these far more serious abuses of press freedoms in El Salvador have gone unmentioned in that publication. The newspaper which claims to publish "all the news that's fit to print" has not seen fit to report the use of terrorism by the government of El Salvador against the press of that nation.[5] The story (or lack thereof) is very much the same when we turn to abuses of press freedoms in other "pro-U.S." nations. Thus, when security forces of the Guatemalan government in June 1988 succeeded in "persuading" the editor of *La Epoca* to shut down that weekly newspaper by firebombing its offices, stealing its valuable equipment, kidnapping its night watchman, and threatening to murder its "traitor journalists"—not a threat to be taken lightly in view of the fact that dozens of journalists in Guatemala already had been murdered in recent years—no report of these events was to be found in the *New York Times* or *Washington Post*.[6] Two months prior to these events, and one month following them, there were

[2]Jack Spence, "The U.S. Media: Covering (Over) Nicaragua," in Thomas W. Walker, ed., *Reagan versus the Sandinistas* (Boulder: Westview Press, 1987), p. 192.

[3]Francisco Goldman, "Sad Tales of La Libertad de Prensa," *Harper's Magazine* (August 1988), cited in Noam Chomsky, *Necessary Illusions* (Boston: South End Press, 1989), p. 42.

[4]Americas Watch, *The Continuing Terror: Seventh Supplement to the Report on Human Rights in El Salvador* (September 1985), cited in Spence, "The U.S. Media," p. 192.

[5]Spence, "The U.S. Media," p. 192; Chomsky, *Necessary Illusions,* p. 41.

[6]Chomsky, *Necessary Illusions,* p. 125, and sources cited in that work, p. 378, note 46.

many articles in those two newspapers about lesser abuses of the press in Nicaragua.

In September 1988 Israeli security forces raided the offices of *Al-Fajr*, a leading daily newspaper in Jerusalem, arrested its managing editor, Hatem Abdel-Qader, and jailed him for six months without trial on unspecified grounds. This story was not covered in the *New York Times* or *Washington Post*.[7] In this non-coverage the two papers followed the precedent which they had set in 1986 when, during the height of their coverage of the suspension of publication of *La Prensa* in Nicaragua, they failed to inform their readers that the government of Israel had closed two newspapers, *Al-Mithaq* and *Al-Ahd*, on the grounds that their publication was "harmful to the state of Israel."[8]

An appropriately skeptical reader might object at this point that perhaps my examples are unfair. Of course it is easy, such a reader might argue, to find examples in which the U.S. mass media irresponsibly ignores press censorship and other human rights abuses perpetrated by nations regarded as "friendly" by U.S. political elites, while simultaneously, and hypocritically, trumpeting comparable or much lesser abuses carried out by "our enemies." The problem, to conclude my imaginary reader's argument, is that there may be other cases in which the media exhibit the opposite bias, or even no bias at all, in which case I would be guilty of making my case by means of a highly selective presentation of evidence.

My response to this objection is that there is no need to be selective in marshalling the evidence for the simple reason that there is *no* counterevidence. To be sure, one can find a different "slant" in non-mainstream journals of opinion, such as *The Nation, Z Magazine*, or *The Progressive*, and an occasional isolated article of this sort occasionally finds its way into mass media publications as well. But one can never find a case in which, on balance, the *New York Times*, the *Washington Post, Time Magazine, Newsweek*, or ABC, CBS, or NBC news deals even-handedly with the transgressions of "our friends" and "our enemies." Rather, these media always adopt the perspective of the U.S. government, and never—literally never—develop an alternative, independent framework of their own.

Readers with a little time, energy, access to a good library, and eagerness to understand the world in which they live can easily verify this for themselves. Let me suggest one way of doing so. Many highly respected organizations are devoted to the task of investigating and documenting human rights abuses around the world. Their diversity is suggested by the following partial list: Amnesty International, Americas Watch, the International Association of Democratic Lawyers, the International Federation of Human Rights, the International League for the Rights of Man, the International Commission of Jurists, Writers and Scholars International, and the International Red Cross. I suggest that you pick any human rights issue that interests you—the use of torture, the imprisonment of political dissidents, press censorship, the staging of fraudulent elections, you name it. Now go through the reports of these organizations and find examples of comparable abuses carried out by two nations, one of which establishes policies and practices conducive to the financial interests of large U.S.-based corporations (and which receives lots of U.S. aid, both in terms of cash and weapons), and the other of which is readily condemned by U.S. governmental officials as an enemy (or "communist" or "terrorist") state. Obviously, it is in the U.S. corporate and governmental interest to play down the abuses in the former nation and to play up the ones occurring in the latter nation. And, in every case, that is how the U.S. mass media, on balance, plays it.[9] You,

[7]Chomsky, *Necessary Illusions*, p. 125; *Boston Globe*, Sept. 5 1988.

[8]Chomsky, *Necessary Illusions*, pp. 127–28; *Al-Hamishmar*, July 25 1986 and Aug. 13 1986; *Jerusalem Post*, Aug. 12 and Aug. 24 1986.

[9]I should note one other protocol for this experiment. To make the comparison between the two nations fair, some care should be taken to note the overall amount of coverage, as well as the favorable coverage, they each receive. Otherwise, one might claim to refute me by, for example, noting that the U.S. pays more attention to political corruption in Canada than in some tiny "hostile" African nation of little interest to U.S. political elites. Such a claim would be absurd, since U.S. audiences are obviously much more interested in Canadian affairs than in those of this African nation, so that the greater attention to corruption in the former nation is clearly to be attributed to this, rather than an anti-Canadian bias, a point that is also indicated by the comparatively vastly greater favorable coverage Canada receives.

dear reader, can refute me by finding a single counterexample. Good luck![10]

Explaining the Problem

Why do the mass media behave so irresponsibly? Must we conclude that they, together with the U.S. government, are engaged in a gigantic conspiracy to keep information that would cast U.S. foreign policy in an unflattering light from being published or broadcast?

As no evidence of such a conspiracy exists, to my knowledge, it is fortunate that one need not be invoked in order to explain the media's disastrous performance. While an adequate analysis would have to include many factors and deal with numerous subtleties and complexities, we can go a long way toward understanding the phenomena in question on the basis of three fairly simple and straightforward principles of news gathering and presentation, one economic and the other two ideological.

BEATS AND HANDOUTS VS. INVESTIGATIVE REPORTING

The economic principle is simply that almost all mass media news is generated either through established "beats"—places, such as the White House, Congress, city hall, the police station, the local football stadium, and so on, where news is regularly produced—or else is simply handed to reporters through press conferences and press releases. The reason is obvious. These two ways of gathering news require little time, effort, or, most importantly, expense, and yet are guaranteed to yield usable news. Investigative reporting, in quite radical contrast, is expensive, time-consuming, labor-intensive, and speculative—it may or may not result in a good story. Thus, since all of these defects of investigative reporting are only exacerbated when it is conducted overseas, it is understandable that media outlets concerned with maximizing their profits would tend not to rely on this method of news gathering in their coverage of foreign affairs.

This economic factor alone goes a long way toward explaining why the news is tilted so heavily in one direction. For notice that only two sectors of society have the resources to provide the media with canned news regularly: the government and corporations, with their big public relations budgets. Thus, when a foreign nation acts against U.S. governmental and corporate interests, these two powerful sectors of society have a strong motive to mobilize public opinion against that nation, and to lay the groundwork for intervention against it. One way to do so is to publicize its faults, both real and alleged, by bringing these to the attention of journalists. But when a foreign nation behaves in a manner that is favorable to U.S. governmental and corporate interests, there is no motive to publicize its transgressions (quite the contrary), leaving journalists with the task of discovering these themselves. It is not advisable to hold one's breath, however, while waiting for this to happen.

OBJECTIVITY

Most mass media journalists subscribe to a theory of "objectivity," according to which reporters should present only "the facts" (which are said to be objective), while scrupulously omitting from their stories their opinions, interpretations, conclusions, theories, and value judgments (all of which are said to be "personal" and "subjective").

Such a conception of objectivity, in addition to its many other defects,[11] fosters journalistic irresponsibility of the sort described above in at least two ways. First, it discourages investigative journalism, since reporters who do their own investigations are pretty much obliged to draw their own conclusions, and this, according to the principle in question, is to inject their own "bias" and "personal opinions" into the news. Moreover, if a journalist were to investigate a foreign leader, favored by U.S. governmental and corporate interests, and find that he is a brutal dictator, such a journalist would be constrained from saying so by "objectivity's" ban on value judgments. Thus, it is infinitely

[10]Edward S. Herman and Noam Chomsky have made extensive and excellent use of this "matched pair" method, and it is a pleasure to acknowledge my great debt to their works. See especially their *Manufacturing Consent* (New York: Pantheon, 1988); Herman's *The Real Terror Network* (Boston: South End Press, 1982); and Chomsky's *Necessary Illusions.*

[11]For more on these defects, see my "Covering Up Iran," in Yahya R. Kamalipour, *The U.S. Media and the Middle East* (Westport, CT: Greenwood Press, 1995), pp. 98–100.

safer to present only those conclusions and value judgments that can be attributed to others—and we have already seen who these others will be, and why.

Secondly, since the journalistic theory of objectivity demands the impossible (that judgments and conclusions be rigorously separated from facts, when in fact these things are inextricably connected to one another in all thinking and writing), it encourages journalists to finesse the issue by presenting only those judgments and conclusions that neither they themselves nor the bulk of their audience will recognize as such. For, with regard to facts, typically one has to *reason*, on the basis of evidence of some kind, to the *conclusion* that something is a fact. Facts are often not self-evident. It requires theorizing, selective (intelligently guided) looking, and (sometimes) special knowledge to discover them. Thus, since concluding, theorizing, and the like are banned as supposedly inconsistent with "objectivity," what we tend to get in mainstream journalism are "obvious" facts—meaning those emerging from the consensus of mainstream political opinion, where no evidence is needed.

And as for value judgments, people think they are being neutral and objective when their value commitments, like the air they breathe, are invisible to them—and that only happens when they are of the assumed consensus mainstream variety. Radical, nonestablishment, or otherwise nonconsensus values, by contrast, stand out, are noticed as values, and are thus excluded from mainstream journalism as nonobjective.[12]

"BOTH SIDES"

The other ideological principle of mass media journalism that tends to result in the journalistic irresponsibility discussed above is the idea that journalists, who, it must be recalled, are not to present their own opinions at all, can nonetheless achieve "objectivity," "balance," and "evenhandedness" in presenting the opinions of others simply by always being careful, when doing so, to give equal attention to "both sides" of every issue.

This supposed principle of fairness is open to a number of powerful objections,[13] the most important of which for our purposes is that the two sides to be heard from are rarely selected on the basis of their being most worthy of consideration in the light of the relevant evidence. Rather, they are selected on the basis of the economic and ideological principles discussed above, with the result that mass media "debates" in the United States almost always stick well within the narrow range of opinion to be found within the mainstreams of the two major political parties.

With regard to international affairs, this leads to a paltry debate indeed, since the two parties, despite their differences in connection with priorities, tactics, symbolism, and rhetoric, rarely disagree on fundamentals. They do not disagree, for example, on the identities of the "good guys" and "bad guys" around the world. Thus, when both the Democrats and the Republicans trumpet the human rights abuses of country A, while neither ever mentions the equal or greater abuses of country B, the idea that A is a totalitarian dungeon and B a land of freedom, democracy, and human rights begins to look not like a highly suspect conclusion or value judgment, but rather like an objective fact, no matter how vehemently Amnesty International, the International Red Cross, the United Nations, the foreign press, world opinion, and the judgments of scholars might disagree.

Suggestions for Improvement

If the analysis presented above is cogent, there are at least five steps that journalists might take that would immediately enable them to do a much

[12] It is also worth noting that while journalists might indeed, with practice, become skilled at bracketing their "personal opinions" and "biases" when it comes to controversial domestic issues—ones about which there is disagreement within the mainstream spectrum of U.S. political opinion—they obviously do not do so when it comes to international issues, where there is usually an elite consensus. When the U.S. government declares another nation to be "our" friend or enemy, the media never—that is literally never—provide the slightest dissent or critical perspective. Biases shared by all respectable members of one's own society are not so easily bracketed.

[13] See Alexander Cockburn, "The Tedium Twins," and Trudy Govier, "Are There Two Sides to Every Question?," both in Govier, ed., *Selected Issues in Logic and Communication* (Belmont, CA: Wadsworth, 1988); and my "Covering Up Iran."

better job of meeting their fundamental ethical responsibilities.

First, journalists should engage in much more investigative reporting and rely much less on handouts from authority figures, since, in addition to the defects of such reliance noted above, "in the nature of public relations most authority figures issue a high quotient of imprecise and self-serving declarations."[14] To be sure, such a change might harm the media outfit's bottom line, but if journalism is correct in viewing itself as a genuinely honorable profession, it cannot allow its concern for profit to overwhelm its ethical responsibilities.

Secondly, insofar as it is necessary for journalists to rely on others to gather evidence for them, they should dramatically enlarge the pool of authorities from which they draw their information. Thus, with regard to international affairs, journalists would do well to engage in some library research, consulting the reports of the major human rights organizations mentioned above, as well as taking advantage of the findings of academics and foreign journalists. Similarly, they might take advantage of the information that is readily available at such "beats" as the United Nations and the World Court. Finally, in consulting all of these alternative sources, there should be a concerted effort to find and to present to news audiences perspectives other than those of U.S. corporate and governmental elites, so that these audiences might be better equipped to evaluate critically both mainstream perspectives and their competitors.

Thirdly, journalists should not allow U.S. corporate and governmental spokespersons to "set the agenda" for media coverage of international affairs. Rather, the media should assert their own independence in this regard, as part of their professional responsibility. Thus, rather than remaining content to report the mainstream elite consensus, handed to reporters, that country A's elections are fraudulent because of factor X, while country B's are legitimate because of factor Y, the media would better serve us by drawing up a comprehensive list of the factors that tend to push an election in the direction of legitimacy or illegitimacy, and then check, preferably by direct investigation, but alternatively by a scrupulous assessment of a variety of independent sources, how different countries fare with regard to these factors.

Fourthly, journalists should abandon the confused and irresponsible doctrine of objectivity that currently guides the profession, and replace it with a more scientific or scholarly conception of objectivity. The difference between the two is this. While the former requires the (impossible) avoidance of opinions, conclusions, and theories, the latter allows, indeed insists upon, these, while demanding that they be well grounded in evidence, logic, and reasoning, and that they hold up under the pressure of counterargument and counterevidence. Objectivity in this scholarly sense is not undermined by taking a strong position, displaying emotion, or anything of that sort. To the contrary, a strong position might be warranted, or even required, by a scrupulous examination of the relevant facts and arguments, and strong feelings might be utterly fitting and appropriate. Moreover, to think that objectivity requires a "balanced," "play it down the middle" result is just a confusion. To be committed to drawing conclusions based solely on the evidence is to be committed to letting the conclusions fall where they may. Thus, the fact that a person arrives at a "one-sided" conclusion is no more evidence of a lack of objectivity on his or her part than would the fact that a referee in a basketball game called thirty fouls on one team and only twelve on another. Perhaps the one team simply committed way more fouls. Indeed, for all we know, the referee might have been biased the other way, so that a more appropriate job of officiating would have resulted in a margin of forty fouls to two.

Fifthly, journalists should also abandon the "both sides" approach to the presentation of opinion. To be sure, there is something to be said for airing more than one view when considering difficult or controversial issues, but no special magic should be accorded to the number two. On many issues, several different perspectives, as opposed to merely two, are worthy of consideration. Moreover, when multiple perspectives are aired, there is less chance that fundamental convictions

[14]Ben H. Bagdikian, *The Media Monopoly*, 4th ed. (Boston: Beacon, 1992), p. 180.

held in common by the two sides usually heard from will go unchallenged. On the other hand, some issues, such as the question of whether or not cigarette smoking is harmful to health, are sufficiently well established as to make it a waste of time to consider "the other side." Such an insistence on always presenting "both sides" even when the currently available evidence is adequate to show that one is correct has the unfortunate consequence of suggesting that no issues ever are decidable on the basis of evidence, and that all issues are ultimately "subjective." Thus, journalists would be well advised to be guided by evidence in determining which views to include, as opposed to insisting on precisely two views (and two mainstream ones sharing most of the important contestable principles in common, at that).

In conclusion, it should be noted that these reforms, necessary though they may be if journalism is to meet its responsibilities in a democracy, are extremely unlikely to be undertaken. It is to be hoped that some journalists will attempt them, but this will require considerable courage on their part, since it is quite likely that any editor or reporter who behaved in the manner here recommended would quite quickly lose his or her job. Until these reforms are enacted, however, those U.S. citizens who would like to understand the world in which they live would be well advised to turn to other sources—the foreign press, scholarly books and articles, and the "alternative" or non-mass media—to supplement their careful and critical use of mainstream journalism.

Discussion Questions

1. What evidence does Detmer provide in support of his claim that journalists in the United States "slant" news coverage heavily in favor of official U.S. government perspectives? What is his explanation for this phenomenon? Do you agree that this is ethically problematic?
2. Of the various suggestions offered by Detmer, which do you think would be most effective? Which would be least effective?
3. Describe Detmer's criticism of objectivity. To what extent do you agree with his claims?
4. Detmer suggests that journalists should engage in more investigative reporting and rely less on "handouts" from government officials. Do you see his suggestions as consistent with the role of the profession? Why or why not?

Truth, Neutrality, and Conflict of Interest

JUDITH LICHTENBERG

APRIL 1989: Several reporters from the *New York Times* and the *Washington Post*, including the *Times*'s Supreme Court reporter Linda Greenhouse, participate in an abortion rights demonstration in Washington. They are later criticized by their editors, who claim that such actions violate their newspapers' conflict-of-interest policies.[1]

[1] *New York Times*, April 16, 1989, p. 28.

Judith Lichtenberg is Associate Professor of Philosophy at the University of Maryland.
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February 1989: Four members of the executive committee of the Periodical Press Gallery, one of four Congressional viewing galleries for journalists, are unseated after they support a rule that would require journalists to disclose sources of income—although not amounts—for admission to the gallery.[2]

Widely discussed among journalists and by media-watchers outside the profession as well, these incidents upset a fragile and uneasy balance of conflicting values and expectations. On the one hand, we may wonder how can we trust journalists to tell us the truth if they are not themselves disinterested. On the other, it seems unreasonable to expect journalists to hold no views about the issues they cover and to be wholly isolated from interested parties. Total agnosticism and isolation seem not only unnatural but also undesirable.

I discovered after extended reflection that my own responses to these cases were more complex than I had anticipated. And the attempt to reconcile my intuitions was accordingly more difficult.

The Novelty of Journalistic Conflicts of Interest

These questions have not always been with us. When we think of the circumstances in which the classical theory of freedom of the press was formulated, we think of revolutionaries, freethinkers, partisans, impassioned pamphleteers, believers in causes; we think of "a struggle between combatants fighting under hostile banners."[3]

Yet the contemporary journalist working for a major daily, a newsmagazine, or a television network is expected to be neutral, fair, balanced, objective, and altogether "value-free." These traits form part of the norm of objectivity, which is a cornerstone of the professional ideology of journalists in liberal democracies.

Clearly our demands and expectations vary depending on the kind of journalism involved. Peter Jennings has to satisfy conditions of neutrality that a documentary filmmaker does not. Similarly, the *New York Times* and the *Wall Street Journal* are subject to different expectations than the *Nation* and the *National Review*. Nevertheless, in every corner of journalism charges of bias and conflict of interest have become increasingly common.

What caused this shift to the values of objectivity and neutrality in journalism? The reasons have much to do with the nature of the contemporary mass media, which, unlike their ancestors, constitute not simply voices in the public forum but the forum itself. As a result, mass media organizations have in crucial respects become public institutions. Vested with enormous power, they must maintain at least the appearance of neutrality or impartiality.

We might elaborate this point in two related ways. First, evidence of nonneutrality, of a point of view, would be seen as an abuse of public responsibility and trust, and so would subject the journalist or media organization to censure. Second, the organization's economic drive to appeal to a vast audience compels it to upset the settled convictions of as few viewers or readers as possible.

That a news article or program secures widespread and ready agreement within a society does not prove, of course, that it is objective or neutral. It may simply mirror its audience's assumptions—held so strongly and deeply they go unrecognized as assumptions capable of challenge. It takes a certain degree of reflection and self-consciousness to see that "what goes without saying" may involve premises that those from a different culture might question, and that it is not simply irrational to challenge. Consensus does not entail neutrality. On the other hand, members of a diverse society may regard all but the most banal truths as highly charged and nonneutral.

Case I: The Journalist as Tabula Rasa

Should journalists participate in politically controversial activities? I want to consider four arguments for the view that they shouldn't.

1. *"Journalists shouldn't have opinions on controversial issues; they should be neutral."* This is a bad argument. An intelligent person will inevitably form opinions about some important moral and political issues. Even if opinionlessness were possible, it is not a trait we ought to cultivate. Engaged

[2]See, e.g., Eleanor Randolph, "Query Makes Reporters Cringe," *Washington Post,* January 25, 1989, and Cass Peterson, "4 Press Gallery Incumbents Lose Seats in Disclosure Flap," *Washington Post,* February 5, 1989, A14.

[3]*On Liberty* (Indianapolis: Bobbs-Merrill, 1956), p. 58.

and informed people naturally form views about issues that confront them, and journalists may be expected to do likewise.

The question is whether the mere possession by journalists of opinions about the issues they cover—on moral, political, scientific, religious, or other subjects—envelops them in conflicts of interest. The argument for an affirmative answer goes something like this: The journalist's duty is to report, or at least to seek, the truth. But if the journalist holds an opinion on an issue she is covering, that will bias her. She will abuse her position to advance her own view or at least she will fail to seek the truth because she believes she already possesses it.

This argument focuses simply on the possession of an opinion, ignoring its genesis and the manner in which it is held. But this is a mistake, and one that predisposes the conclusion.

So, for example, we might say that insofar as a person's belief about an issue possesses the right kind of pedigree or lineage, holding the belief does not conflict with the journalist's duty to seek the truth. If I have arrived at a view through a fair and careful consideration of the evidence or of the arguments on all sides, I am involved in no conflict of interest. Why not? First, I have no hidden interest pushing me to one view or the other; my aim is to discover the most rational or defensible position. Second, insofar as I proceed fairly in considering the issues, I am unlikely, even having settled on a view, simply to dismiss the other side.

Is this an excessively rationalistic picture of belief formation? No doubt. We can, if we are so inclined, find causes to undermine even beliefs with impeccable pedigrees. But unless we are prepared to slide down the slope to the conclusion that everyone is biased and no one ever believes anything for good reasons—in which case we may as well give up altogether on the idea of good journalism—we need some way to distinguish holding a view in light of the arguments, the evidence, the facts, and other less worthy routes to belief.

We often put this difference in terms of whether a person has a "vested interest" in a position or not. The question is whether there is "something in it for him"—whether he has some motive for believing it apart from a desire to believe the truth. The most common understanding of a vested interest suggests a material or personal interest: my stocks will go up or my brother will get hired. But someone with strong ideological commitments can likewise have a vested interest in a position. His belief system depends upon things being one way or another. We judge this question—essentially whether a person has an "open mind"—largely in terms of the extent to which she can appreciate another's point of view.

Practically speaking, then, the manner in which a belief is held matters more than its genesis. In light of our typical ignorance of the origins of people's beliefs and the ease with which we may cast doubt on them, how you came to have the beliefs you do matters less than how you hold them: whether with a certain detachment or distance, whether with an appreciation of your own fallibility and the capacity to see other ways of looking at things.

In any case, the mere holding of a belief, even one relevant to a subject one is reporting, cannot involve one in a conflict of interest. Such a criterion is too stringent, because complete agnosticism is neither possible nor desirable. We may note in addition that a piece of reporting rarely threatens one's beliefs in the direct way that the assumption of conflict of interest supposes.

2. *"Any journalist who gets politically involved has beliefs too strong to allow for fair journalism."* Exactly what is the claim here? Is it that people who demonstrate or who join political organizations necessarily have stronger political beliefs than those who do not? Although some psychological experiments indicate that taking action can deepen commitment, it doesn't follow that joiners are always more committed than nonjoiners. And even if joining meant a stronger commitment or belief, that in itself would not justify prohibiting political involvements. For the crucial question is not how strong a journalist's beliefs are but whether they disable him from fair and accurate reporting. Without evidence of a connection between the two, the prohibition remains unsupported.

Some people, of course, are dogmatically committed to their beliefs. Immune to contrary evidence or arguments, they lack the virtues of skepticism and open-mindedness that make for good reporting. Perhaps there are journalists

animated by a single-minded passion, who show us things we would not otherwise see while blinding them to other ways of looking. But such people are rare.

Presumably, part of an editor's job is to assess the extent to which reporters possess the virtues necessary to their role—not to eliminate those who hold opinions, but to purge those whose opinions prevent them from reporting fairly. But they should decide these questions by examining a reporter's work, rather than her extracurricular activities.

We must recognize, however, the limitations in this approach. First, editors, like everyone else, will have trouble recognizing biases that match their own. Second, examining a news story is rarely sufficient to expose its biases; for that we need to know not only what it contains but what it leaves out. The sins of bias are largely sins of omission. This is a deep problem for the critique of journalism.

The conclusion nonetheless remains: the prohibition on political action cannot rest on the argument that action in itself demonstrates attitudes inappropriate for journalists.

3. "Journalists' political commitments will entangle them in relationships that compromise their ability to report news stories fairly and accurately." This is a serious concern. It is not so much journalists' political beliefs themselves that create the danger of bias but rather the personal and institutional relationships that normally flow from political involvement. A reporter actively involved in a political organization will probably find it difficult to write critically about it. Members of the group are his friends, his comrades.

This example points up one of the most fundamental sources of conflicts of interest: personal relationships, which can exert a powerful pull at odds with professional duty. Few people can distance themselves adequately from their ties to friends, family, colleagues, comrades. For many purposes we count that as a virtue, not a vice. But it does create a professional conflict of interest.

4. "Journalists' political involvements create the appearance of bias and conflict of interest, and ought to be prohibited on that account." According to this argument, public political commitments create the appearance of conflict of interest because the public is likely to infer that a reporter is biased and incapable of fair and accurate reporting from knowledge of her political involvements. In support of this view one might point to the common assumption that liberal reporters (reporters who happen to be liberals) inevitably or generally write liberal journalism (journalism with a liberal bias).

Furthermore, potential sources may draw the same conclusion. They may be reluctant to talk to reporters they perceive as holding political beliefs contrary to their own. Since this could prevent a reporter from doing his job well, it is understandable that news organizations would prefer that their journalists' political affiliations remain unknown.

But arguments that rest policy conclusions on the mere appearance of impropriety require special justification. They naturally arouse suspicion: where appearance and reality diverge, why should we rest policy on mere and misleading appearances? Where they coincide, why not argue directly from reality? If, as I have argued, one's political beliefs or involvements need not taint one's reporting, why should one be bound to keep them under wraps? Having asserted that neutrality is nearly impossible and in any case undesirable, isn't the noninvolvement policy hypocritical?

To answer these questions, we must distinguish two different appearance-of-impropriety arguments. According to the first, the appearance of impropriety serves as a basis for policy just because it provides good reason to suspect genuine impropriety. On this view, if noninvolvement policies are justified on grounds of the appearance of conflict of interest, that is because the belief that such involvements bias journalists is a reasonable one.

Is this belief reasonable? It depends partly on how we characterize it. Is it the belief that people in general tend to be biased by their beliefs, or that journalists are? Journalists' professional training might make them less biased by their political beliefs than the ordinary person—not for reasons of moral or intellectual superiority but because journalists possess incentives to be unbiased that the ordinary person does not.

At the same time, the belief that political commitments bias journalists seems reasonable to the extent that—as I argued in the previous section—such commitments entangle journalists in personal relationships that make detachment and fairness difficult.

This first appearance-of-impropriety argument, then, gives modest support to prohibiting journalists' political involvements. According to the second argument, although the appearance of impropriety may be misleading, it does not follow that we should ignore it. If people believe that journalists' political views distort their work, that will undermine journalism's credibility. And this is a legitimate reason for instituting policies to counteract such beliefs.

Yet sometimes it seems downright wrong to fashion policies to suit people's false or unjustified beliefs. Even though people's racist or sexist beliefs may be very powerful, we do not think policies should be shaped around them. What's the difference? At least this: racist or sexist beliefs seriously demean and degrade minorities and women. But the belief that journalists' political commitments bias them does not degrade them in the same way. There is, I conclude, nothing wrong with designing policies around people's false beliefs, if the beliefs do not seriously degrade other people and if there is little hoping of changing them.

To endorse the noninvolvement policy while denying that reporters can be or should be neutral is likely to invite condemnation from both sides. For the most natural defense of the policy relies on the premise of journalistic neutrality, while opponents tend to assert that neutrality is a fiction. Let me say a bit more, then, to defend my view.

First, I do not mean to deny that reporters (like everyone else) possess biases, and that these biases may influence their reporting. No one is perfectly detached and distanced from her opinions. But having opinions is not the same as being biased by them. The idea that bias is inescapable and poisonous leaves us no way to separate better reporting from worse. If we insist that every opinion is a bias we will simply have to invent a new distinction to separate good reporting from bad.

Second, I believe it is a common fallacy to overestimate the influence of journalists' personal beliefs on their reporting. The reason is mainly that we are likely to ignore structural and institutional forces and biases which, although often more subtle than personal political commitments, are also more powerful.

Among these forces are editors who act as critics and eliminate obvious slants and value judgments. There are also journalists' own professional values, which may conflict with their political beliefs: the desire for a good story, for professional recognition and success may provide incentives to fairness, and the assumption of moral virtue is not required. Extremely important are the institutional constraints of news organizations and the natural tendencies of particular media, which may also pull against the reporter's personal views. So, for example, a reporter's liberal political views may be insufficient to overcome the inherent conservatism of journalists' reliance on official sources, the ability of powerful political figures to use the media to their own advantage, and the effects of news organizations' formal and informal ties to large corporations.

My justification for the prohibition on political involvement rests, then, on the surprising view that audiences are more likely to be biased by knowing journalists' beliefs than journalists are by having them. We can, of course, imagine circumstances in which the prohibition ought to be overridden. In emergencies, pressing moral and political concerns—civil rights, the threat of totalitarianism—may leave the professional with no alternative.

The force of the foregoing arguments must be evaluated in light of several variables:

Public acts and private acts. My view that reporters should not engage in political action rests largely on the public nature of their activities. But political involvement can be more or less public. A journalist might donate money to a cause, march anonymously in a demonstration, or work behind the scenes for an organization. On the other hand, she might sign petitions published in newspapers, testify before Congress, or in some other way make her commitments known.

How visible a person's actions are depends not only on the actions but on the person. Acts that would call immediate attention to Diane Sawyer or Ted Koppel might go entirely unnoticed if done by a reporter for a small city newspaper.

The relation between a journalist's political activities and her beat. If a journalist's political activities are thought to undermine either her credibility or her ability to report fairly, it stands to reason that some connection must exist between her beat and her political interests. We might see

why a reporter active in the abortion-rights movement shouldn't cover abortion, but why shouldn't a reporter involved in environmentalism cover abortion?

Two reasons might be offered. First, reporters often change beats, and so even if a reporter's political activities do not overlap with her coverage today, that does not mean they never will. Second, political issues do not divide into neat packages. It is easy to see how a reporter's involvement in abortion might have implications for her views about animal rights or population growth; it does not require a great leap to see how her views about environmental questions might also be affected.

The journalist's specific role and the nature of the organization for which she works. I have defended my view primarily with an eye to the news reporter for a mass media organization. By contrast, we don't expect writers for smaller-circulation periodicals whose audiences have a specifiable point of view to be neutral in the same way. And of course editorialists are permitted—even paid—to be opinionated.

Case II: The Sound of Money Talking

Should journalists accept income derived from sources other than the news organization for which they work? Ought they to disclose the sources, and even the amounts, of their income? These are the questions raised by the Periodical Press Gallery case.

We must consider three basic policy alternatives: (1) honoraria not accepted; (2) honoraria accepted; sources (and possibly amounts) disclosed; (3) honoraria accepted; sources not disclosed.

I believe that the first policy is best, but I do not regard it as a practical possibility, because journalists as a group would refuse to accept such a sweeping limitation on their earning power (or, as they are more likely to put it, on their freedom). Clearly this claim is arguable, but let us make it nevertheless. Which of the other alternatives is preferable?

To answer this question we must explain why ideally prohibiting honoraria altogether would be best. The rationale is hardly obscure: financial interests pose genuine threats to professional duty, because those who benefit materially from a source have a strong incentive to favor information supportive of it and to ignore information damaging to it.

In accepting such a view, we mark a difference between the pull of material interests and the pull of prior beliefs and values. As I have acknowledged, beliefs and values no doubt bias those who hold them to some extent. But we do not count them prejudicial in the same way as material interests. Why not?

Here are several reasons. (a) Many of people's beliefs have some rational basis; i.e. they bear some connection to truth. The strength of the connection is a matter of dispute, but we can assert at least this much: that a person believes a given proposition provides some reason for thinking it true; that a person has a material interest in the truth of a given proposition provides no reason for thinking it true. (b) The investment most people have in particular political, social, economic, and other worldly beliefs—those beliefs reflected in the news—is rarely so great as to render them immune to change of view in light of contrary evidence or argument. The exceptions we call ideologues or fanatics or true believers. (c) When money talks, most people listen.

Yet none of these reasons alone supports the weight of the conclusion, because the truth of each is qualified. Even together, we may question how well they distinguish the biases of material interests from the biases of belief. Further doubt may be cast by those who, arguing in defense of journalists, find the imputation of greed and even bribery implausible and insulting.

For the motives of most journalists, including those who accept honoraria, are probably honorable. Journalists do not sell their souls when they give speeches for money. Indeed, the typical lecture-circuit journalist probably gives essentially the same talk (to go with lunch: light on substance and controversy so as not to cause indigestion) to whatever organization invites him, no matter what its political orientation. So what's the problem?

The conflict of interest arises, however, not because most journalists can be bought in the crude way. Most people do not simply abandon all their scruples for money. For them the force of material conflicts of interest derives primarily from the relationship created between donor and beneficiary. It will be difficult for the reporter to write

an exposé of the lobbying group that has just paid him thousands of dollars to give a speech. He now knows some members of the group; a relationship has been established; the group has benefited him. Unless something has gone wrong—they treated him badly, didn't pay what they had promised, or in some other way fumbled—turning his investigative arsenal on them will probably feel like a betrayal.

Seen in this way, the underlying force of material conflicts of interest is of a piece with the other most common species: personal relationships, which can exert a powerful pull at odds with professional duty. In both cases, the primary source of the conflict resides in the existence of a relationship rather than in greed.

What has been forgotten in the current handwringing about "ethics in America" is that our vulnerability to conflicts of interest speaks as much of our virtues—our connectedness to other people—as of our vices. Of course some professionals are corrupted by garden-variety self-interest. And others can separate their professional duty from their feelings: they can take the money and run, writing a critical story that bites the hand that fed it. (Ironically, as we admire their "professionalism" we may suspect them as human beings.) Nevertheless, conflicts of interest often arise from personal traits that we value highly.

Returning to the practical question, if we cannot expect journalists to forego honoraria, should we at least expect them to disclose them? Yes, because, as I have been arguing, honoraria pose a genuine threat of conflict of interest. Disclosure can serve two valuable functions: first, to alert the public to the possibility of conflicts; and second, to deter journalists from undertaking relationships that breed conflicts.

Is there any inconsistency in journalists' keeping their beliefs to themselves to avoid creating an appearance of impropriety while disclosing their finances, which may create the same appearance? I don't think so. Because material interests are more biasing than prior beliefs, the appearance of conflict of interest created by disclosure of honoraria is less misleading than the appearance of conflict created by public political involvement. And there are other asymmetries between the cases as well.

First, although each policy requires sacrifice—presumably journalists would prefer the option of political involvement, while they would rather not disclose sources of income—refraining from public political commitments, unlike refusing honoraria, is already deeply embedded in journalistic norms. It does not appear to demand more of journalists than can realistically be expected. In a different culture—fifth-century Athens or the founding fathers'—where public commitment was considered essential to a full life, this demand might be unreasonable.

Second, receiving honoraria reinforces the conservative institutional biases created by the corporate interests of news organizations and journalists' dependence on official sources, since large honoraria tend to come from powerful sources. By contrast, the biases, if any, created by journalists' political views spread out more evenly along the political spectrum.

Finally, journalists have long exerted pressure on politicians and public officials to disclose their financial involvements, on the assumption that these entangle them in conflicts of interest. Journalists' lack of embarrassment at failing to practice what they preach is remarkable. Their standard response, when they bother to make one at all, is that they are not public employees and so do not bear the same duties as politicians and public officials.

But in crucial respects the contemporary mass media *are* public institutions. As I argued earlier, they are not simply voices in the public debate; today they constitute the forum itself, where all significant debate takes place and to which anyone who hopes to make a difference must gain access. Just the concerns that justify financial disclosure by politicians and public officials apply to reporters for mass media organizations, who remind us of their public function whenever they invoke the First Amendment. Journalists are neither more nor less susceptible to compromising conflicts than the politicians they cover. In both cases, the question is whether they have motives at odds with their professional duties.

But suppose that a journalist only gives speeches for free. Does she not, by my argument, still form some of the ties that create conflicts of interest—meeting people, developing relationships, and the like?

She does, but not, perhaps, with the same degree of indebtedness. Conflicts of interest cannot

be entirely eliminated; the argument for financial disclosure is that such a measure can at least contain them. Other conflicts, however, will exist as long as journalists have relationships with other people. The long-term relationships between journalists and sources provide an ineradicable source of conflict. Journalists who depend extraordinarily on the cooperation of regular sources—i.e. many reporters with important beats—must be tempted to avoid critical stories if not to write flattering ones. Those who attend parties with the people they write about are at special risk.

Conflicts of interest, then, constitute an occupational hazard for journalists. Compared to the others, those involving money are easy to avoid.

Discussion Questions

1. Lichtenberg considers four arguments that support the view that journalists should not participate in politically controversial activities. Which arguments are successful in her view and which are not? To what extent do you agree with her conclusions?
2. Suppose a journalist were to argue that disallowing her to participate in political activities was an unethical restriction on her personal freedom. How well could such an argument work?
3. Lichtenberg says that her view must be evaluated in light of several variables. Describe these variables and assess how, if at all, they affect her view.
4. Describe Lichtenberg's position on receiving honoraria for speaking engagements. To what extent do you agree with her view? What guidelines are ethically appropriate for journalists who want to supplement their income?

Ethical Boundaries to Media Coverage

RAPHAEL COHEN-ALMAGOR

Introduction

Some think that democracy should tolerate all forms and types of speech, for liberals must not play the antiliberal game. Those who make this sweeping claim argue that liberal democracies are different from other forms of government precisely because they do not use nonliberal tools (Skillen, in Graham, pp. 139–159). I find this claim both naive and dangerous. Democracy should set rules for speech as well as for action. Those who choose to break and to undermine the basic democratic rules should not be surprised if, in the name of democratic self-defence, the legislature decides to disqualify them from participation in the democratic process. I reiterate the importance of acknowledging the democratic "catch" and the need for setting limits to the democratic principles.

The two main ground rules of liberal democracy are: (1) to avoid harming others and [to respect] others as human beings; (2) to treat fellow citizens as an end rather than a means to another end (Cohen-Almagor, 1994; Dworkin, 1977). The emphasis is on the notion of basic equality, that all citizens are entitled to enjoy the same civil and political rights. Every person should be able to pursue their conception of the good as

Raphael Cohen-Almagor is Professor of Communication at the University of Haifa.
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long as they do not harm others. Hence, anyone who chooses violence, terror, and/or racism as their conception of the good should be condemned by democratic institutions. There can be no compromises with regard to the application and employment of violence and terror in society, while the racist phenomenon should be closely monitored and supervised.

The argument advanced here is that thoughtful democracy will want to place careful limitations upon freedom of action and freedom of speech. Freedom of speech is a guiding rule, one of the foundations of democracy, but, at the same time, freedom does not imply anarchy, and the right to exercise free expression does not include the right to do unjustified harm to others. We need to distinguish between freedom of information, of speech, and of the press, and excessive behaviour that infringes on people's privacy and undermines journalism. . . .

Ethics in the Media

. . . Discussions of the normative roles of the media must be held within the context of the social system in which we live. Against the assumption that all societies share the same universal values and that it is possible to create a unified explanation for moral attitudes and behaviour across cultures, it is argued that different sets of values are being upheld in different systems of ruling; consequently, . . . media in a democracy differ greatly from media in an autocracy or in any other authoritarian system. The expectations are different, the abilities cannot be similar because the lexicon that the media use in authoritarian systems is largely dictated by the government. Terms such as "positive," "negative," "justice," "truth," "ethics," and "morality" assume different meanings against the backdrop of the society in which they are expressed. The values in Iraq are different from the values in Australia, the values in Russia are different from the values in both Iraq and Australia, and the values in Iran are significantly different from the values of the former three societies.

Moreover, discussions on the normative boundaries of media coverage within democracies should take into account the particular social context of each society that might influence our views on some of the narratives and ways of reporting. It would be unwise to assume that the First Amendment tradition prevalent in the United States could be appropriate, without qualifications, for Canada, Australia, the United Kingdom, or Israel. Careful analysis must take the significant historical, cultural, and normative differences that exist between societies into account.

The freedom granted to the media is meant to enable the expression of society's various subcultures and classes, to voice public opinion, and to serve as a means of transmitting messages between them and their elected representatives. The media seem to serve the public by enabling their members to vent their frustration, by bringing their requests to the attention of the government, informing them of the various developments concerning their future, entertaining, criticising the actions of the government, and exposing corruption or irresponsible acts of public delegates. These are the media's most important roles, which can be carried out to their fullest extent in democracies alone.

Democracy and free media live, breathe, and act under certain basic tenets of liberty and tolerance, from which they draw their strength and vitality, and preserve their independence. The media are not under an obligation to remain impartial with regard to all concepts: some concepts may coexist with the principles of democracy while others contradict them completely. It is for the media to take a firm stance to defend democracy whenever it is threatened. It is reiterated that ethics in the media requires the preservation of the very norms that enable democracy to function. On this issue, my view differs significantly from the view of some commentators and from media codes of conduct.[1]

Sometimes ethics might call for self-restraint and self-control by the media. An example for this claim is the treatment of the Holocaust and

[1]For instance, the Radio/Television News Directors Association code begins with the unqualified statement: "The responsibility of radio and television journalists is to gather and report information of importance and interest to the public accurately, honestly, and impartially." For further discussion, see John McManus, "Who's Responsible for Journalism?," *Journal of Mass Media Ethics*, Vol. 12, No. 1 (1997), pp. 1–5.

Nazism in Israeli society. In October 1995, a large demonstration was held in Zion Square in Jerusalem to express opposition to the Oslo Accords and the Rabin government. Some demonstrators were carrying posters in which Prime Minister Yitzhak Rabin appeared wearing the infamous uniform of the Nazi leader Heinrich Himmler. Mr. Moshe Vardi, the editor of the popular daily newspaper, *Yedioth Ahronoth*, decided to report the fact that such photomontages were waved during the demonstration, but not to print them in his newspaper. The rationale for employing self-restraint was that such pictures are too objectionable and do not deserve publication. Printing them would only serve the intentions of those who portrayed Mr. Rabin as a Nazi. On the other hand, the daily *Ma'ariv* newspaper chose to print the photomontages. To my mind, the approach exhibited by *Yedioth Ahronoth* is the right and ethical approach. The newspaper did not fail to report the issue and at the same time did not serve as a promoter of hatred and incitement. In the Israeli culture, portraying a person as a Nazi amounts to calling for his or her death. The media should not play into the hands of instigators who wish to undermine democracy.

Some might argue that the printing of such photos makes a difference, increasing public awareness regarding the phenomenon of hatred, and arguably creating a much more intense public reaction to the level of hatred against a designated individual or government. I agree: it is one thing to report of such photos and quite another to actually show them. The effect is much stronger when they are printed or broadcast. However, this rationale fails to adequately take into account the social context in which these photomontages were presented and the likelihood that printing them may mobilise hatred and increase the intense feelings of resentment and alienation among those opposed to the peace process and the Rabin government.

Media Responsibility

A discussion of journalism must take into account the political and economic establishments, the morals of the nation and the state, the citizens' basic rights, and the conceptions of good that guide society. The media pass on information to the people; some of this information is vital for the people to fulfil their obligations as citizens. The dissemination of information should take place only after investing some thought in trying to evaluate its possible results. This is both a consequentialist and moral claim. The Israeli media, for instance, often do this on security issues but, by comparison, they are much more careless when the privacy of individuals is concerned. The media are expected to act with responsibility and accountability with regard to all pieces of information.

Journalists who live in a democracy are not abstract humans living in some sort of natural state. They are *citizens* who are expected to support the democratic procedures by which they operate, and to exhibit responsibility in their reporting. The entry into the world of journalism does not exempt citizens from this basic responsibility. On the contrary, because of the extra burden of affecting the lives of others, journalists are expected to show sensitivity and to adhere to what Dworkin (1977) terms "liberal background rights," first and foremost respect for others and not harming others. Here it is relevant to mention that Section Five, "Fair Play" of the Sigma Delta Chi (the Society of Professional Journalists) Code says: "Journalists at all times will show respect for the dignity, privacy, rights and well-being of people encountered in the course of gathering and presenting the news."

Obviously, the background rights mentioned above, respect for others and not harming others, should not be held secondary to considerations of profit and personal prestige. Journalism does not only mean increasing the sales of a newspaper or promoting the ratings of certain broadcasts.

Journalism also means seeing people as ends and not as means—a Kantian deontological approach. It implies that the ability to control the power lying in the hands of journalists when they are reporting in the name of the people's right to know might cause unjustified harm to others. I now need to clarify the meaning of "justified" and "unjustified" harm.

When a person acts corruptly, and there is evidence to prove it, the media are allowed, and even obligated, to look into the issue and bring it to public scrutiny. This is what is meant when people refer to the media as having a watchdog role in democracy. To fulfil this role, the media are some-

times justified in using means of deception that constitute a serious invasion of privacy. They are justified provided that they have carefully deliberated the reasons for and against deception, the short- and long-term implications for their work and for society at large. The story needs to be socially significant with exposure resulting in reduced evil and increased promotion of public good; the benefits resulting from the unveiling of the story must clearly outweigh the harm involved in resorting to deception (for instance, when the story involves a crime or administrative corruption); other alternatives to tell the story must have been exhausted and proved to be insufficient, making deception a necessary means for exposing the crime; and the reporters must inform the public about the reasons that prompted resorting to deception.

Accordingly, resorting to deception is justified only in exceptional circumstances. In recent years, however, we have witnessed an increase in the use of hidden cameras in investigative reporting to reveal corruption and misconduct. One of the most illustrative stories is ABC *PrimeTime*'s report on the Food Lion supermarket chain. Small cameras that were carefully camouflaged showed vivid pictures of unsanitary practices such as repackaging out-of-date food to be sold as fresh. After investigating the story from various angles, ABC went behind the scenes with hidden cameras to support and document their findings. Upon first viewing the ABC program I thought that this was a sound investigation of utmost importance, of vital public interest (securing customers' health), designed to prevent harm to individuals and, therefore, justified. Undoubtedly, this was the best way to tell the gruesome story. Oral evidence cannot enjoy the same credibility and cannot convince as pictures can. On 22 January 1997, a North Carolina jury awarded Food Lion $5.5 million in punitive damages award against ABC without challenging the network's claims that the grocer sold spoiled meat. The jury had found that ABC News had committed fraud, trespass, and breach of loyalty.

After careful reflection, I think that the story could have been told without using deception. It could be argued that Section b of the 1992 guidelines of the Society of Professional Journalism and the Poynter Institute for Media Studies—exhausting all other alternatives for obtaining the same information—was not satisfied. The food could have been sent to labs to examine whether it was edible and workers could have been interviewed in detail and submitted lengthy reports. The footage would have been less vivid and powerful but it would nevertheless have told the story.

Categorising Events

We may differentiate among several types of events:

1. *Events that have social-public meaning.* For example: an assassination of a prime minister; the tragic death of Diana, Princess of Wales; earthquakes; a train overturning; missile attacks on the Galilee; delays at airports across Australia; bombs in the London underground; a scientific discovery; attempts by Dr. Philip Nitschke to fashion a pill that can end people's lives; a technological breakthrough; the opening of a newspaper; parliamentary elections; corruption in a local city council; a massacre on a bus; the death of famous movie stars or public figures (celebrities).

2. *Gossip-events that are of little social value but are of interest to the public.* Frequently reporting such events might intrude on people's privacy.

Reporting of these events feeds the voyeuristic needs of many of us, to various extents. Many of us enjoy learning the details of what is thought to be unattainable by the common people. If I cannot be like the "significant others," at least I would like to know about their lifestyle: what living in a castle with servants is like; the pros and cons of living with three wives; whether Jelena Dokic, the young and talented tennis player, has time for a social life; what it is like to be an idolised rock star; what Michael Jordan eats for breakfast; why a politician chose to divorce her husband. Many of these gossip events can be quite banal. For instance, millions of women are pregnant around the globe at any given time. The media usually do not regard this as newsworthy. But it might attract public interest if the woman is a soap opera star or a leading actress in one of the commercial TV series. Many viewers of *Melrose Place* would be very interested in knowing that their favourite character is actually pregnant in her private life. They would begin to ponder and

speculate about various questions: Will the character she acts out in the series become pregnant as well? Will the series producers try to conceal her pregnancy? Will the star finally get married? Will a replacement be found in case the pregnancy does not fit the producers' plans? Will they decide, God forbid, to terminate the filming of the series during the advanced months of pregnancy? These are top priority questions for the captive followers of the series.

People often suffer from various ailments, minor and severe, and in most cases these ailments are not reported to the public. On the other hand, mere laryngitis could become of public interest if it is the throat of Luciano Pavarotti. This bad news might have dire consequences that could affect the tenor's career in the long run, or the viewer's plans to attend his next week's performance.

In this context, we should make two relevant distinctions. The first is between people who choose a life of self-publicity, like politicians, diplomats, and people in show business, and people who choose a life that would predictably attract media attention, like artists or footballers. The media are not usually interested in this distinction and would cover their personal stories if they thought this might increase sales and ratings. People who choose professions that attract public attention should realise that media intrusion is an unavoidable side effect. People who would wish to reduce this side effect should not cooperate with the media on all matters, positive and negative.

The second distinction is much more important, morally speaking. It differentiates between celebrities and public figures who choose their position, and ordinary people. For some people, honour is the primary asset they have. A careless report might destroy their lives irreversibly. Ordinary people do not usually enjoy access to the media and could not adequately respond to media allegations. Public figures, on the other hand, have assets and ability to respond. People who have knowingly chosen to live in the spotlight are aware of the price they must pay. As success increases, the ability of a politician or a celebrity to maintain a private life decreases drastically. In the words of President Harry Truman: "If you cannot stand the heat, stay out of the kitchen." A married politician who takes a lover should not be surprised to find this information in the gossip columns. If that politician is known to preach family values and morals, then the knowledge of the lover might hit the front page.

Gossip is not supposed to be stripped of ethics either. People's honour must be dealt with carefully and the boundaries of decorum must be maintained. Pure voyeurism might cause unjustified harm to celebrities and their families, and often this attitude does not add to a paper's reputation.

In Great Britain, members of royalty rarely complain against the press. One of the rare occasions[2] in which a complaint was issued took place in 1995, when Earl Spencer filed complaints to the Press Complaints Commission (PCC) against the *News of the World*, the *People*, and the *Daily Mirror* for publishing stories about his wife, who was receiving treatment in a private addiction clinic, arguing that they unjustifiably intruded upon her privacy in breach of Sections 4 (Privacy), 6 (Hospitals and similar institutions), and 8 (Harassment) of the Code of Practice. The complaints were all upheld. The Commission held that, to justify such an intrusion, the newspaper is required to demonstrate that publication would be in the public interest. The newspapers had failed to offer any sufficient argument to sustain their position on this point (PCC Report).

A further note should be made distinguishing between people who choose to become social figures and people who provoke public attention as a result of a deed or speech but would wish to retain their anonymity. On occasion, people stumble unintentionally into the spotlight, under circumstances that are not within their control. When this phase passes, they wish to regain their privacy and return to normal life. The media should refrain from intruding into these people's private lives and should respect their privacy, especially when expo-

[2]In 1996, Charles Anson, Press Secretary to The Queen, complained that an analysis of The Queen's personal wealth and that of other members of the Royal Family included in a feature entitled "The Rich 500" in the September 1995 issue of the magazine, *Business Age*, was inaccurate and misleading, in breach of Clause 1 (Accuracy) and Clause 3 (Comment, conjecture and fact) of the Code of Practice. The Commission upheld the complaint, holding that the article presented speculation as established fact, and made a number of errors (PCC Report (April/May/June 1996) No. 34 (London).

sure of certain details could harm one or more of the people involved. Look, for instance, at the painful story of Oliver Sipple, the ex-marine who knocked a gun out of the hands of a would-be assassin of then American President Gerald Ford. Shortly after the incident, the media revealed that Sipple was active in the San Francisco gay community, a fact that had not been known to Sipple's family, who thereupon broke off relations with him. His entire life was shattered as a result of this publication. The good deed he had done brought about extremely harmful consequences for Sipple.

3. *Heightened events.* These are events that actually take place but are not dramatic enough for reporters, so they choose to embellish them a little. In 1985, Armenian terrorists attacked the Turkish embassy in Ottawa, Canada. They held hostages in the embassy and during the siege of the building one of the reporters asked if the kidnappers had more specific demands besides the general ones they had stated previously. In a different incident a reporter asked the kidnappers if they intended to set an ultimatum, when none had been stated earlier (Crelinstein, 1992, pp. 208–238). Supposedly, that reporter was not satisfied with the existing tension and he wished to raise its level. (There have been cases of politicians interviewing "off the record," making statements whose shock value caused journalists to go back on their word and publish the information.)

4. *Exaggerated events and twisted stories.* These are reports of events that have taken place but the media try to tamper with their true proportions or to twist the details. When a famous British diplomat was arriving in New York, he was warned by a friend about the American reporters. One reporter asked him: "Do you plan to visit any night clubs while you are in New York, Lord Selwyn?" Selwyn: "Are there any night clubs in New York?" The following morning, the reporter's newspaper carried a story beginning "'Are there any night clubs in New York?' That was the first question British diplomat Lord Selwyn asked yesterday as he arrived . . ." (Rivers & Mathews, 1988, p. 64). Other examples can be drawn from the stormy world of Israeli politics. After 4 November 1995, during the funeral of Prime Minister Yitzhak Rabin, the media reported that one million people came to the Knesset courtyard to pay their respects. This estimate seems to have been quite exaggerated. Later estimates mentioned approximately 30,000 people.

The *New York Post* told the story of a man who allegedly raped a three-year-old girl on a grassy knoll near a crowded Manhattan highway while passing motorists stopped to watch. The incident was described as "a chilling mix of apathy and voyeurism." But the story was untrue. Three motorists did stop to pursue the alleged rapist, and traffic had simply stalled behind their abandoned cars (Kurtz, 1993, pp. 33–35).

In the financial and administrative arenas, the media often use large bold letters to report the corrupt acts of any public figure suspected of embezzling large sums of money from public funds. Long after the scandal dissipates the charges are often dropped for lack of evidence or the dimensions of the fraudulent act turn out to be much smaller in scope than was initially reported. This is not to say that there is no room for reporting such stories. They must be reported, but in a responsible manner, proportionate to the suspicions, without exaggeration. Obviously, all embezzlement must be condemned, but proportion must be kept. There is a substantial difference between headlines that hint of corruption and bribery, and reports of mismanagement of public funds or auctions. If, after a thorough investigation the accused is found innocent, the acquittal must be reported with the same degree of emphasis used to report the alleged accusations.

5. *Staged events.* These are events that probably would not have occurred had the media not been present. Here we must differentiate between cases in which the media were invited to cover an event, and cases where the media initiated events.

In Israel, a female member of Knesset chose to take a dip in the Mediterranean specifically on the Day of Atonement, the most sacred day on the Jewish calendar. A photographer "just happened to be there" and snapped the shot, showing the MK in her bikini.

Staged events can be harmful. In March 1983, Cecil Andrews ignited himself in protest at local unemployment rates. The event was captured by a local TV crew that was invited in advance by Mr. Andrews. After the event, some searching questions were raised as to the role of the TV crew:

Would Mr. Andrews have set himself on fire had the cameras not been there? Probably not. It is reasonable to expect a TV crew to try to stop Mr. Andrews from igniting himself, instead of rolling the film for thirty-seven terrible seconds. I think that this is a case of immoral and irresponsible behaviour.

In some cases, the media initiate events. During the *Intifada*, the Palestinian uprising in the occupied territories, foreign television crews directed Palestinian youth to create events for the cameras. Former Deputy Head of the General Security Services (SHABAC), now Member of Knesset, Gideon Ezra (1996), said that during the uprising foreign reporters used to convene in the American Colony hotel in East Jerusalem and instigate events before sending their photographers to the territories. He testified that they paid Palestinian youth $50 for stone throwing and $100 for Molotov cocktails.

6. Fictitious events. These events have no connection to reality, or at least no tangible proof that they occurred.

A notorious false news item was *Jimmy's World*, published on the front page of the *Washington Post*. The author, Janet Cooke, won the Pulitzer prize for that heartbreaking story about an eight-year-old and a third generation heroin addict, "a precocious little boy with sandy hair, velvety brown eyes and needle marks freckling the baby smooth skin of his thin brown arms." The story ended by providing a detailed account of how Ron, Jimmy's mother's lover, grabs the child's left arm, "his massive hand tightly encircling the child's small limb. The needle slides into the boy's soft skin like a straw pushed into the centre of a freshly baked cake. Liquid ebbs out of the syringe, replaced by bright red blood. The blood is then reinjected into the child," and Ron says "Pretty soon you got to learn how to do this for yourself" (Cooke, 1980, p. A1). Later, it turned out that the story was completely fictitious and that Jimmy was a figment of her imagination. Janet Cooke was dismissed and was forced to return the prize she had received.

The Boundaries of Media Coverage

I argue that only real events and gossip belong in the realm of acceptable coverage. In cases covering celebrities-for-a-day, rules of propriety must be upheld. The media should not aid in staging, promoting, or exaggerating events or rumours. Moreover, the media act irresponsibly and immorally in all of the following instances:

- Reporting events on the basis of rumours, without supporting evidence and without cross checking sources and testimonies.
- Reporting imprecisely in the interest of creating a sensational response.
- Media coverage that shows no consideration other than "the public has the right to see all that I am seeing" without regard to the consequences is immoral. For instance, reporting is immoral when the media broadcast terrorist events live, unedited, and, as a consequence, some of the victims' relatives are informed of the deaths of their loved-ones by means of the shocking pictures.
- The media act in ways that might endanger lives. On one of the first days of the hostage kidnapping in Iran in 1979, an NBC reporter reported that two American emissaries had been sent to Teheran. The report was broadcast against the better judgement of the government and seemed to contradict understandings reached with the Iranian government. A short time after the report, Ayatollah Khomeini stated that the two emissaries would not be welcome in Teheran (Sick, 1990, p. 242). Considering that lives of people who were held hostage in a hostile country were at stake, it was an irresponsible act. It was certainly possible to delay the report and to give the diplomatic channel a chance to succeed away from the spotlights.

In 1986, Lord Chalfont wrote the following:

> Unless newspaper editors, and those who control our radio and television programs, recognise their responsibility and act accordingly, they might well find themselves facing pressure for some kind of legislative regulation over the reporting of terrorism and the interviewing of terrorists.[3]

[3]See the 1988 British Ministerial directives to the BBC and the Independent Broadcasting Authority (IBA) to refrain from broadcasting interviews with members of terrorist organizations as defined in the Prevention of Terrorism legislation. (See Chalfont, 1986.)

Conclusion

Limitations should be placed on media coverage. Freedom of speech is a fundamental right, an important anchor of democracy, but it should not be used in an uncontrolled manner. Unlimited liberty and unqualified tolerance might deteriorate into anarchy and lawlessness, and, in such an atmosphere, democracy would find it quite difficult to function and the media would be one of the first institutions to be undermined.

Today's public is more aware of the power of the media and is more willing to voice its dissent when it finds the media's conduct offensive or unacceptable. It seems that ten years ago the publication of a correction was a rare occurrence, whereas nowadays people complain more and media agencies are more willing to admit their mistakes. The media understand that it is better for them to control their own agencies rather than for the state to intervene through the legislature and the courts.

References

Chalfont, Lord. (1986). The price of sympathy. In B. Netanyahu (Ed.), *Terrorism: How the west can win* (pp. 126–129). New York: Farrar, Straus, Giroux.

Cohen-Almagor, R. (1994). *The boundaries of liberty and tolerance.* Gainesville, FL: University of Florida Press.

Cooke, J. (28 September, 1980). Jimmy's world. *Washington Post,* Al.

Crelinstein, R. D. (1992). Victim's perspectives. In D. L. Paletz & A. Schmid (Eds.), *Terrorism and the media* (pp. 208–238). Newbury Park, CA: Sage.

Dworkin, R. M. (1977). *Taking rights seriously.* London: Duckworth.

Ezra, G. (1996). A talk given at a forum on Media and Terror, held at the Department of Communication, University of Haifa (30 April, 1996).

Kurtz, H. (1993). Why the press is always right. *Columbia Journalism Review, 32* (May–June), 33–35.

Rivers, W. L., & Mathews, C. (1988). *Ethics for the media.* Englewood Cliffs, NJ: Prentice-Hall.

Sick, G. (1990). Taking vows: The domestication of policy-making in hostage incidents. In Walter Reich (Ed.), *Origins of terrorism* (pp. 230–244). New York: Woodrow Wilson Center and Cambridge University Press.

Skillen, A. (1982). Freedom of speech. In K. Graham (Ed.), *Contemporary political philosophy* (pp. 139–159). Cambridge, UK: Cambridge University Press.

Discussion Questions

1. Cohen-Almagor describes the ground rules of a liberal democracy. What are they and what are the limitations that must be imposed? Do you think that these limitations harm the democracy?
2. In your opinion, would the arguments used to suppress the photographs by Yedioth Ahronoth (supported by Cohen-Almagor) work in the United States? Why or why not?
3. What does Cohen-Almagor take to be the basic responsibilities of journalists?
4. In his analysis, Cohen-Almagor describes six categories of events and provides his assessment of each. Which of these assessments is most persuasive? Which is least persuasive?
5. Cohen-Almagor concludes that "only real events and gossip belong in the realm of acceptable coverage." What, exactly, does he mean by this? To what extent do you agree?

Privacy, Politics, and the Press

DENNIS F. THOMPSON

WHAT SHOULD THE PRESS REPORT about the private lives of public officials? The most common answer is based on what may be called the relevance standard: Private conduct should be publicized only if it is relevant to the official's performance in public office. Although this standard is often invoked by journalists and politicians, its justification has often been misunderstood, and the interpretation of its scope has been incomplete and overly broad. If the standard were more firmly grounded in the requirements of the democratic process, it would better serve as a guide to making and criticizing decisions about what to publicize about the private lives of public officials.

Justification: Why Should the Press Respect the Privacy of Public Officials?

Any adequate justification for respecting the privacy of public officials must be based in part on what the democratic process requires. In virtually all conceptions of democracy, officials should be accountable to citizens. Citizens should be able to hold public officials accountable for their decisions and policies, and therefore citizens must have information that enables them to judge how well officials are doing, or are likely to do, their jobs.

This accountability requirement provides a reason to override or diminish the right of privacy that officials otherwise have. It is clear enough that the requirement justifies making some conduct public that is ordinarily private: the financial affairs of officials and their family members; health records; drug use; names of friends, relatives, and close associates; gifts received; outside employment; and sexual activity related to the job. Sexual harassment, as now defined in the law on the subject, is not a private matter.

The accountability requirement has another implication that is less noticed but no less important. The requirement provides a reason to limit publicity about private lives. When such publicity undermines the practice of accountability, the publicity should be limited. How can publicity undermine accountability? The most important way is through the operation of a political version of Gresham's law: Cheap talk drives out quality talk. This is not because people hoard the quality talk in the hope that they might be able to enjoy it later, as Gresham thought people would hoard higher-value currency, but because the cheap talk attracts readers and viewers, even those who, in their more reflective hours, would prefer quality talk.

Talk about private lives is "cheap" in two ways. First, the information is usually more immediately engaging and more readily comprehensible than information about job performance. Second, the information itself is less reliable, simply because it is usually less accessible and less comprehensive. We usually know less about private life not only in a particular case, but also in past cases, about which we need to know in order to make generalizations about the effects of private conduct on public performance.

Given these characteristics, information about private life has the tendency to dominate other forms of information, lower the overall quality of public discourse, and thereby diminish democratic accountability. Informing citizens about some matters makes it harder for them to be informed about other matters. The coverage of the Clinton-Lewinsky affair dominated media discussion of not only important new policy proposals on Social Security, health insurance, and campaign finance reform, but also attempts to explain the U.S. position on Iraq in preparation for military action.

Dennis F. Thompson is Alfred N. Whitehead Professor of Political Philosophy at Harvard University.
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Even if the tilt of political attention from the public to the private affects only opinion leaders and the political classes, it can still have the effect of weakening the system of accountability.

To be sure, in the absence of scandal, citizens will not necessarily pay more attention to the more important issues of the day. Some citizens would no doubt simply ignore political reporting completely. And reporting scandals might even sometimes increase interest in politics: Some viewers might turn on the news to find out the latest about Clinton and Lewinsky, and then stay to see a report on Iraq that they would otherwise have missed.

What exactly are the effects of the coverage of scandalous private conduct? This is an empirical question and one that unfortunately has received little serious investigation by social scientists. But the considered judgments of most citizens in this and similar cases is that they do not need to know about the sexual affairs of their leaders,[1] and that the press pays too much attention to leaders' private lives.[2]

Comparative studies suggest that the U.S. press is overly preoccupied with private life. Compared to the press in most other advanced democracies, our press is much more inclined to report on the private lives of officials. A recent study of journalists' attitudes in four European democracies and the United States found that "U.S. journalists are the least scrupulous group when it comes to the private lives of public officials." Nearly 90 percent disagreed with the statement that "journalists should not delve into their personal lives" (Donsbach 1995:22).

Scope: What Privacy of Public Officials Should the Press Respect?

If the relevance standard is based on accountability, the scope of conduct that it would publicize is less than is often assumed. Two general features of the standard favor less publicity. First, because the effects on accountability are a matter of degree, the standard focuses attention on questions of proportion. The issue should not be simply whether, but to what extent, private conduct should be publicized. The standard thus still has force in cases in which private conduct is relevant. Even when the standard does not prohibit coverage, it may require adjusting the amount of airtime or space devoted to private conduct compared to other issues.

A second consequence of basing the relevance standard on accountability is a shift in focus from conduct that affects job performance to conduct that citizens need to assess job performance. This shift builds into the standard some limits on intrusion. Citizens do not need to know, for example, about the drinking habits of an official because the alleged effects can be discovered by observing his actions on the job. More generally, in this interpretation of the standard, the press should concentrate more on the effects of private behavior and less on the behavior itself.

Four main types of conditions or considerations determine whether and to what extent private conduct is relevant. The conditions refer to the publicness of the conduct, the character of the official in question, the reactions of the audience, and the effects on the political process. The significance of these conditions can be brought out by examining a case that has some parallels to recent events but is less cluttered with political contention. (The case also has the advantage of offering some insight into how editors think about this issue, because many spoke candidly about how they arrived at their decision to publish the story.)

In the mid-1980s, John Fedders, the chief of the enforcement division of the Securities and Exchange Commission (SEC), resigned shortly after the *Wall Street Journal* reported on its front page that he had repeatedly beaten his wife. Although his wife's charges had appeared in the public record at the start of the divorce proceedings nearly a year and a half earlier, virtually no one had taken notice until the *Journal*'s story

[1] A comparative content analysis of the press coverage of Gary Hart in the 1988 campaign and Bill Clinton in 1992 found that the stories of the affairs dominated the coverage of Hart's campaign but "did not fully eclipse" discussion of Clinton's issue positions because the press "cast more doubt on the accuser, Gennifer Flowers, and the medium, the *Star*" (Payne and Mercuri 1993:295, 298).

[2] Sixty-four percent of respondents in a February 1998 survey said that it is not important for the public to know "what the relationship was" between Clinton and Lewinsky. Distinguishing the relationship from legal testimony about it, 61 percent said that it is important for the public to know whether Clinton encouraged Lewinsky to lie. (James Bennet with Janet Elder, "Despite Intern, President Stays in Good Graces," *New York Times*, Feb. 24, 1998: 1 A, 14A.

appeared.[3] (The *Journal* had been told about the problem a year before but decided then against reporting it.) White House officials decided that once this information became so public, Fedders could not remain in office and asked for his resignation.

Can this disclosure be justified? The first refuge of a harried editor in face of such a story is to try to find some connection, however remote, between the private conduct and the job performance. The trouble was that Fedders's penchant for wife-beating had no noticeable effects on his job performance. By all accounts, Fedders's performance on the job had been exemplary.

Nevertheless, some editors, intent on publishing the story but not wanting to offend against the relevance standard, claimed that they had found an effect on performance. Demonstrating how far an editor is willing to stretch the relevance standard, Ben Bradlee of the *Washington Post* insisted that Fedders's private conduct "intrudes on his performance of his duties" because "the fact is that he's not at work, he's in court."[4] This argument is an abuse of the relevance standard because its claims can be shown to be false and can be shown to be so without publicizing anything about Fedders's private life. If the claim is that an official is distracted from his public duties, the press can simply report that he is not on the job. (They could give some general description of the reason, such as his appearance in court, if necessary to indicate how long the absence is likely to be and whether it is justifiable.)

The managing editor of the *Journal,* Norman Pearlstine, said the decision to run the story was "the toughest call I've had to make since I've been in the job."[5] He finally decided to override the paper's general rule respecting the privacy of public officials because of the whole set of facts surrounding the case:

> [Fedders had] admitted in public the charges of wife-beating . . . He is one of the important law enforcement officials in the country . . . [There were] questions raised about his indebtedness . . . The White House was aware of the issue of family violence and seemed to be concerned about it.[6]

Pearlstine's justification captures better than the claims of other editors the complexity of decisions of this kind and provides a useful start for analyzing the conditions that should be taken into account in applying the relevance standard.

Publicness of the Conduct

The first factor that almost all editors mentioned about this case is that the conduct was already on the public record. Abe Rosenthal, the executive editor of the *New York Times,* took this as a sufficient justification: "When stories of repeated wife-beating by a public official . . . become part of the public record, they must be printed."[7]

Pearlstine was more careful. For him, Fedders's public admission of guilt, not just the publicness of the proceedings, was essential. This may be too strong a condition in some cases, as we may sometimes want an allegation of wrongdoing to be disclosed even if the accused denies it. But we ought to require some independent test of the plausibility of the charges beyond the fact that the charges are made in public.

This case illustrates clearly that the press itself often determines what is on the public record that counts. For Fedders, the difference between a court record and the front page of the *Journal* was the difference between holding public office or resigning in disgrace. More generally, the fact that conduct comes to light whether as a result of court proceedings or (more commonly) through less reputable means does not automatically justify giving it still more exposure. Just because an activity is public (even legitimately so) does not mean that it should be more widely publicized. Failure to make this simple distinction leads to the common mistake that Rosenthal made.

Similarly, the fact that the story is likely to be published elsewhere ("If we don't run it, somebody else will.") is not itself a sufficient justification. If it were, almost any story could be considered legitimate, whether actually public already or only imminently so—if not in the *Wall Street Journal,* then in the *Daily News,* or if not in

[3]Brooks Jackson, "John Fedders of SEC Is Pummeled by Legal and Personal Problems," *Wall Street Journal,* Feb. 25, 1985.

[4]Stuart Taylor, "Life in the Spotlight: Agony of Getting Burned," *New York Times,* Feb. 27, 1985.

[5]Ibid.

[6]Ibid.

[7]Ibid.

the *Daily News,* then in the *Drudge Report.* On the relevance standard, properly interpreted, it makes a difference where the story is published—a difference that is becoming more important in the era of cyber-publicity. Publication in the *Journal* (or its local counterpart) gives a story more credibility and has more effect on political discussion and accountability than does publication in the tabloids or on most of the Internet.

The respectable press often tries to avoid this dilemma by a technique that may be called "meta-reporting": writing about the fact that the less respectable press is writing about private scandals. Thus the *New York Times* publishes a story about the unsubstantiated rumors that the *Daily News* has published about Clinton and Lewinsky—complete with miniature reproductions of the front pages of the *News.*[8] This technique might be more justifiable if the respectable press were not so much more inclined to engage in meta-reporting about stories that feature sex than about stories that reveal other failings of their fellow journalists. Thus, although the judgment that the private conduct is legitimately publicly known is a necessary condition for reporting about it, it is not sufficient—and certainly not for determining how extensive that reporting should be.

Unity of Character

A second condition is that the private conduct must reveal important character flaws that are relevant to the official's job. That is presumably what Pearlstine had in mind when he connected Fedders's personal debts and spousal abuse with his role as a law enforcement official. Citizens may reasonably want to know about an official's tendency toward domestic violence and personal indebtedness when that person is responsible for enforcing the law and regulating the finances of others.

Pearlstine's claim here is more specific than the more common use of the character argument, which is undiscriminatingly general. The general claim that private conduct reveals character flaws that are bound eventually to show up on the job is a psychological version of the classical idea of the unity of the virtues: A person who mistreats his wife is likely to mistreat his colleagues; a person who does not control his violent temper is not likely to resist the temptation to lie.

We should be wary of this argument because many people, especially politicians, are quite capable of compartmentalizing their lives in a way that the idea of the unity of virtues denies. Indeed, for some people, the private misbehavior may be cathartic, enabling them to behave better in public. And private virtue is no sign of public virtue. We should remember that most of the leading conspirators in the Watergate scandal led impeccable private lives. So evidently did most of the nearly one hundred political appointees who were indicted or charged with ethics offenses during the early years of the Reagan administration.

More generally, as far as character is concerned, we should be primarily interested in the political virtues—respect for the law and the Constitution, a sense of fairness, honesty in official dealings. These virtues may not be correlated at all with personal ones. And the vices that the press seems most interested in—the sins of sex—are those that are probably least closely connected with the political vices.

Character is sometimes thought to be relevant in a different, more symbolic way. Officials represent us by who they are as much as by what they do: We need to know if their character makes them fit for moral leadership—for serving as role models for our youth and virtuous spokespeople for our nation. But this conception of public office is too demanding, as most citizens seem to recognize. They seek leaders whose characters display the political virtues, but most do not believe that even the president should be held to higher moral standards in his private life than ordinary citizens are.[9] The question is not whether it would be

[8]Janny Scott, "Media Notebook: Focus Turns Elsewhere in Newspapers and on TV," *New York Times,* Feb. 4, 1998.

[9]About 53 percent of the respondents in a national survey in 1998 in the aftermath of the Lewinsky publicity said that "when it comes to conduct in one's personal life the President should be held to the same standard you hold yourself," while 44 percent said that he should be held to a higher standard. (Roper Center, "CBS News, *New York Times*" [conducted Feb. 19–21], released Feb. 23, 1998, University of Connecticut: Public Opinion Online.) An overwhelming majority, 84 percent, agree that "someone can still be a good president even if they do things in their personal life that you disapprove of." (Ibid.)

desirable to have a leader who is as moral in his private life as in his public life, but whether it is worth the sacrifice of privacy and the distortions of public debate that would be required to make private probity a job qualification.

If the character trait is specifically related to the job, the case for considering it relevant is stronger, even if the connection is only symbolic. This is perhaps part of the reason that Pearlstine thought that Fedders's domestic violence was relevant to his role as a law enforcement official: It was not that Fedders might actually condone violence or other law-breaking on the job, but that his private conduct symbolically repudiated the specific values that an official in his position is sworn to uphold. Even smoking cigarettes in the privacy of one's home may be a legitimate target in the case of some public officials. Responding to stories in the press, William Bennett had to give up smoking when he was head of the Drug Enforcement Agency.

Reactions of the Public

Pearlstine's allusion to the Reagan administration's campaign against domestic violence introduces a third condition. It refers to reactive effects: The private conduct affects job performance not because of what the officials themselves do but because of the reaction of other people when they find out about the conduct. If the Reagan administration had allowed Fedders to stay on the job, his reputation might have made it more difficult to continue the campaign against domestic violence and, more generally, the effort to promote family values. Anticipating these effects, an editor might reasonably find the private conduct relevant.

But we should be careful about appealing to reactive effects. The anticipated reaction of other people should almost never count as a sufficient reason to publicize further what would otherwise be private. The missing step in the argument—the one factor that Pearlstine and none of the editors mention—is the assumption that the private conduct itself is morally wrong and that the anticipated reactions of other people are therefore morally justified.

Why this step is essential can be seen more clearly if we consider the cases of the "outing" of homosexuals in public office. The fact that constituents will vote against their conservative congressman if they find out he is gay is surely not a reason for publicizing his sexual orientation. The mainstream press was right not to disclose the fact that the chief spokesman for the Pentagon during the Gulf War is gay, even though some opponents of the military's policy of excluding gays from the military sought to publicize the fact.

If the congressman had actively opposed gay rights, or if the Pentagon spokesman had prominently defended the military's policy, the press would have had a reason to expose his sexual orientation. But the reason is not simply that these officials should be punished for their hypocrisy, but that their hypocrisy is serving a morally objectionable cause.

There is an important qualification to the general rule that reactive effects should not count as a reason for exposure unless the reactions are morally justified. If the official flagrantly disregards such reactions—in effect inviting scrutiny of private conduct that offends many people—the press may be justified in exposing it, whether or not it is in itself wrong. Perhaps the press should not spy on a prominent senator who goes off on a yacht for a rendezvous with his mistress, but when he declares himself a family man and dares the press to prove otherwise, the press has a reason, though not necessarily a sufficient reason, to expose his activities. The senator is guilty of failing to take into account the reasonable reactions of citizens.

Officials who behave in this way display a form of the traditional vice of "giving scandal." In Thomist ethics, "giving scandal" is defined as providing the "occasion for another's fall" (Thomas Aquinas 1972:109–37). In secular terms, we could say that a public official who fails to take into account the reasonable reactions of citizens fails to fulfill an important public duty, and citizens deserve to know about that failure. If the reports of President Clinton's escapades with Monica Lewinsky are true, he is guilty of "giving scandal." Except for the issue of perjury, this may ultimately be the strongest justification for the press's treating his affair differently from the more discreet alleged relationships of Bob Dole and George Bush.

If journalists invoke reactive effects when applying the relevance standard, they cannot escape making substantive moral judgments. Even when

they decide to disclose on the grounds that citizens themselves should decide whether the conduct is justifiable, they are in effect judging that the anticipated reactions are not bad enough to outweigh the value of informing citizens about the conduct. Once the story is out, the decision has been made. Without judging the extent to which the reactions they are anticipating are justifiable, editors will not be able to distinguish between outing a homosexual and exposing a wife beater.

Priority in the Process

The fourth condition relates private conduct to other public issues: To what extent does knowing about this conduct help or hinder citizens' knowing about other matters they need to know to hold officials accountable?

In the Fedders case, it would be hard to argue that publicity about his private life distracted citizens from attending to more important traits or activities—whether his or those of the SEC or other officials and institutions. The publicity probably brought more attention to the SEC. (The number of people who learned for the first time that the SEC had an enforcement division must have increased substantially.) And the publicity indirectly gave a boost to the administration's campaigns against domestic abuse and for family values.

But in most cases—especially when they involve traditional personal vices such as drink, drugs, and sex—the Gresham effects are likely to be more salient. Even when this kind of private conduct has some clear relevance for judging the qualifications of a public official, it tends to assume more prominence than it deserves. In the confirmation hearings of Clarence Thomas, the press, the public, and the Senate Judiciary Committee paid more attention to Clarence Thomas's relationship with Anita Hill than to his judicial qualifications. The Gresham effects are especially damaging when, as in this and similar cases, irreversible decisions are made under tight constraints of time, so that any distortions in the process of accountability cannot be corrected.

The Gresham effects go well beyond particular cases like those of Clarence Thomas and Bill Clinton. The cumulative consequences of many cases, as they increase in number and prominence, create a pattern of media coverage that distorts our common practices of deliberation. Our habits of discourse—the considerations we easily identify, the distinctions we readily make, the reasons we immediately accept—become better adapted to controversies about private life than to public life. The more citizens hone their skills of deliberation on the finer points of sexual encounters (would he have really put her hand there?), the less they are prepared to develop their capacities to deliberate about the nuances of public policy (should he support this revision of Social Security?). Democratic deliberation gets into a rut—the rut of smut, it might be called. That is not the best place to conduct the discourse of democratic accountability.

Conclusion

To return to Pearlstine's decision: Should he have run the story about Fedders? The decision was justified because Fedders's conduct satisfies the relevance standard: It is the kind of conduct about which citizens or their representatives need to know to hold an official in Fedders's position accountable, and the extent of the publicity was proportionate to the relevance. More specifically, Fedders's conduct was already public, and legitimately so. The character flaws that the conduct revealed were closely and specifically connected to his job. There was reason to believe that the negative public reaction was morally justified because the conduct is a serious moral wrong. And most important, there were no significant Gresham effects.

Just as important as noting the factors that justify the story is recognizing the factors that should not count at all. Just because the conduct was already public does not justify publicizing it more widely. Just because the conduct reveals a character defect does not make it relevant to public office. And just because the public or some part of it is likely to react negatively does not license disclosing it.

Our interest is not in the conclusion about this particular case, but in the reasons for it. Those reasons can help identify some general principles that should guide journalists in making—and, just as importantly, citizens in judging—decisions about reporting on the private lives of public officials. Those decisions affect not only what we read and

watch, but also ultimately the quality of the discourse of the democratic politics we experience. That discourse is too important to be left to the vagaries of Gresham's law.

References

Donsbach, Wolfgang. 1995. "Lapdogs, Watchdogs, and Junkyard Dogs." *Media Studies Journal* 9(4):17–31.

Payne, J. Gregory, and Kevin Mercuri. 1993. "Private Lives, Public Officials: The Challenge to Mainstream Media." *American Behavioral Scientist* 37(2):291–301.

Thomas Aquinas, Saint. 1972. Question 43, "Scandal." *Summa Theologiae*, vol. 35. New York: Blackfriars with McGraw-Hill.

Discussion Questions

1. Thompson argues that respect for the privacy of public officials is tied in an important way to the democratic process. Elaborate on his view and explain whether you agree with it.
2. What, exactly, is Gresham's law and how does it function in Thompson's argument?
3. According to Thompson, there are four conditions that should be appealed to when determining whether and to what extent the private conduct of public officials is relevant. Do you agree with these conditions? Which one is most problematic?
4. Explain how the moral theory of virtue ethics could be used to provide justification for Thompson's position. What other moral theory (or theories) could support his view?

Do Journalism Ethics and Values Apply to New Media?

FRED MANN

. . . BEING A JOURNALIST is what I've always been about. It's how I have always defined myself. Journalism and its enduring values and ethics are very much a part of who I am. I felt the connection decades ago, when Chris Peck and I worked together on the college newspaper. I still feel it today.

But today, in the online world, the challenges to traditional journalistic values and ethics are major. I feel very lucky to have grown up professionally at the *Philadelphia Inquirer*, where values such as editorial integrity, balance, fairness, and accuracy were as ingrained as they were at any other paper on the planet. People like Jim Naughton and Gene Roberts and Gene Foreman made it a religion for us all. And as a result, I really feel like I can carry those values into this strange, new world with as much enthusiasm as anybody.

But it is no easy trick. This game is so new that we really haven't drawn the lines on the playing field yet. There are troubling issues around every corner online. At most every Internet-related conference, the issues under discussion are either business related (as in, how do we make money on the

Fred Mann is Regional Vice President, KnightRidder.com.

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Web? Or who do we cut a deal with to better our position and become the really dominant online player in our market?) Or the issues are technological: who's got the best software for tracking advertising logs, or which is a better way to go with your music clips—RealAudio or Shockwave?

Editorial issues, when they are discussed at all, are also couched in the context of the latest innovation and coolest new design. Journalistic values and ethics don't usually make it on the radar screen at these conferences. There is some sort of assumption that if we are newspapers and we're going online, well, we'll act like newspapers and try to be fair and balanced and accurate. It's a no-brainer.

But it's not a no-brainer. For me it's a—brainer. Look at the situation here. Just about every newspaper you can think of is going online. Why? Because they are scared not to. Because they've been told they need to. Because they want to protect their franchise as the leading local information provider. And because they hope that there is money in it. Maybe there is. But publishers and newspaper chain CEOs usually are not going into this cheaply. There is hardware to buy and staff to devote. The cost can be high for larger papers.

To run these new operations, most newspapers reach into their newsrooms. Some put their online services under the marketing department or even under advertising. For those of us who come to the newsroom, it can be a shock. You are suddenly publisher of a start-up venture that everyone in your building says is the wave of the future. You are a businessman, a businesswoman, not just an editor. You are expected not just to gather and report and edit the news, like in the safe old days. You are expected to do all that, and turn a profit—soon!

Maybe it's just me. Maybe it's my own coming to grips with the business side of journalism. After all, when an editor becomes a publisher, there are always new concerns to struggle with. And when he becomes *both* editor and publisher, he, by definition, runs into an unhealthy set of demands. But online, it's even stranger for there are few clear boundaries.

Where is the line between advertising and editorial? Many of our sites, mine included, have what we blithely call "sponsored" content. Car reviews sponsored by Toyota. Restaurant reviews linked to an editorial database of local restaurants—but a restaurant can add to an accompanying Yellow Page–style listing of information by paying for a boldface upgrade. Is that a reader service or selling editorial content to the highest bidder? We think we've put on enough safeguards to protect the editorial integrity of our information. But where *we* draw the line is not necessarily where *you* would. We may all subscribe to the same traditional journalistic values, but how you implement them in a world of clicks and links and interlocking databases is not as clear as it used to be.

I attended the Interactive Newspaper Conference in Houston recently, sponsored by that venerable newspaper bible, *Editor & Publisher.* During the four-day conference, there was one—count 'em, one—hour-long session on journalistic ethics. And, frankly, it didn't shed much light on anything. The conference did hand out awards (as any self-respecting conference does these days). A jury awarded these prizes to large newspaper Websites (over 100,000 print circulation). The big one, for Best Online Newspaper Site, went to Kevin McKenna's excellent electronic publication of the *New York Times.* The second award, for Best Use of Editorial Content Online, went—again—to the rather piggish *New York Times.* I was not surprised. I wanted both of those, but I knew we didn't deserve them. The third award, we *did* win. I was shocked and greatly honored. And when I thought about it some, I was pretty puzzled. The category? Best Use of Advertising Online.

That's not an award I had ever aspired to.

It made me wonder: We use advertising to pay the bills. What do other Websites use it for? I accepted with extreme modesty (actually modesty bordering on embarrassment), shook Kevin's hand, had my picture taken, and sat down. Man, wouldn't my buddies in the newsroom be proud of me now?

But the more I thought about it, the more I thought it was okay. Apparently these judges thought that our handling of advertising—of which we have a lot—was appropriate, tasteful, entertaining, and most important, not confusing or distracting from the news content. I took it as validation of our journalistic values. Of course, my ad staff took it as a great marketing ploy to sell more ads.

I go on about advertising because it is the hot button issue for many of us, but the areas of ethical concern online are legion.

Conventional wisdom (and, in this case, pretty undeniable wisdom) says that those companies that partner wisely will ultimately win the game online. Okay. So you go out and form various types of business alliances with other companies. You sign a deal with AT&T because they can give you the Internet access you need to offer to your potential audience. You partner with your major local bank so that you can offer their online banking services on your site and draw a bigger audience and therefore sell more ads. You ally with a major health care provider because you want their doctor database online. You throw in with one of your local major league sports franchises to co-sponsor an interactive game which drives your hit totals and gives the ballclubs lots of easy promotional mileage. You even do business with Microsoft because, while they may ultimately devour you, you need their technological support and, Jeez, they'll throw money at anything.

Now that all that is in the works, post some credible business coverage online. Maintain your high standards for impartiality. Make sure your readers remember your impeccable credibility when they read that story about the high-tech war-to-the-death between Netscape and Microsoft which appears right next to your advertising button which says "Powered by Microsoft" on the screen.

I'd love to say that all these scenarios are hypothetical. They're not. They are all real. They are all situations we have faced, with no great sense of consistency—save one: to try to live up to the standards we have set for ourselves in print. Frankly, I don't think we have always succeeded. But we have done fairly well. I look to my colleagues for guidance and for support.

How responsible can you be or do you have to be about information you link to online? Is it your fault if the site you connect with misleads people or offends them? What about the site that links *from* the site you linked *to*? What about giving community groups the tools to post their own information on your Website? It's a great public service. It's a great communication device. It's a great audience builder. Hell, you can probably sell more ads that way. But what if those community groups post bad information? Or libel someone? What if your bulletin boards, like ours, become magnets for the most appalling kinds of hate mongering—stuff that you wouldn't let in your newspaper in a million years—yet your lawyers tell you that you can't censor those boards or you can be held liable for their content?

How do you create a new brand on the Internet? Something that plays off your newspaper credibility, but is much more hip, much more cool and Web-friendly. Can hip and cool also be fair and balanced?

How do you maintain allegiance with the value of completeness when you are busy delivering the personalized news content that online technology allows today? Are there a lot of your users out there who have programmed their searching agents to bring them back daily reports on more than their stock portfolios, baseball scores, travel bargains, and the weather? Think there are a lot of folks who will be exposed to daily feeds about inner-city poverty and suffering in Bosnia? Oh yeah—give me more . . . every hour!

How are we going to maintain accuracy when we are not dealing with two or three or four edition deadlines every night, but rather an edition deadline every minute? Speed and immediacy are critical to success on the Internet. Speed and immediacy are also, as we know, no friends of accuracy, fairness, completeness, and balance. And I know that there is not an online newsroom in the world that has the kind of copy desk and backfield editing resources that their print newsroom has.

Their online staffs don't even have all that many journalists most of the time. Some of my staff came from the newsroom, but others are young Internet jocks, right out of college (or, more correctly, out of their sophomore year of college). They make our site go, but they no more identify with traditional journalistic ethics and values than our editors understand Java coding. And in a start-up business, we've got everybody doing a little of everything. Oversight is vitally important, but it's often hard to come by.

The list is endless, and I've gone on too long already . . . [but the following topics need more spirited discussion].

- Sites are tracking their usage on the Web—and then giving that user data to advertisers. How ethical is that?

- Sites are packaging audio music clips with their record reviews. Very cool for the user. But then they are selling the albums online next to the reviews—and taking a cut of the sales price. Is that still so cool?
- We have the capacity to imbed ad links into editorial copy now, and charge for those links. Who, aside from my ad manager, thinks this is a neat idea?

Just for the record, there are some clear ethical benefits to presenting the news and information on the Web. With an endless newshole, we can be more complete, we can add more context, we can include more voices, and we can help people more fully understand complex issues. But, also for the record, just because a newshole is endless doesn't mean that we can fill it properly. We still face those wonderful age-old issues of who's going to fill it. And with what? Resource and time pressures don't disappear just because we've moved to the Internet.

[I can't answer all these confusing questions.] I do have one important answer, however—one that may seem obvious to those of you still dealing in column inches and first-edition deadlines, but it is easy to forget when your brain has been taken over by megabytes and server software problems. It is simply this: If we hope to prosper online, it is because, amid the thousands of Websites—from Yahoo! to the two guys in their garage in West Philly—we journalism sites are paid attention to because we have brand recognition that says we are credible sources of information. We are believable. People trust us. And if we let our *new* media concerns about quick profits and business alliances run away with our *old* traditional values, our credibility—and our marketability—will be shot.

Newspapers online have to be more than just newspapers online. They have to go farther, offer more, connect with a new type of audience in ways that are often more unpredictable and nontraditional and chancy. They have to try new things. Break some rules. Plow some new territory. Do some things that will make their publishers cringe and their newsrooms threaten rebellion.

But in doing so, they cannot—they *must* not—abandon the underlying principles of good, traditional journalism. For if they do, they will be no more trusted than Microsoft and America Online and the other non-newspaper news sources on the Web. And once that happens, newspapers will be battling these strong new competitors on *their* turf of slick presentation and hot new technology rather than content and credibility. And that is a game most of us will lose.

Local markets—local content—is what this global new medium is really all about. That's where the value to the user is, and that's where the advertiser dollars are. These local markets are ours to capture because we have the content and the credibility and the history as the premier local information providers. To see our newspaper online services grow into real valuable news sources for our readers, and real valuable revenue streams for our companies, we need to keep up technologically, develop smart business plans, create strong and user-friendly content, *and*—the great unspoken—keep our credibility. We do that by living up to our ethics and values—the old-fashioned ones that have served us so well and so long.

Discussion Questions

1. Why does Mann think that newspapers that go on-line run a certain risk of compromising fair and accurate news coverage? Do you agree that this is a legitimate concern?
2. One of Mann's concluding statements is that "if we let our *new* media concerns about quick profits and business alliances run away with our *old* traditional values, our credibility—and our marketability—will be shot." Do you see this as a statement about the ethics or the business of journalism? Is there a relevant connection between the two? (Are any ideas about business and the professions, covered in Chapter 5, relevant to this?)
3. What do you see as the role of the journalism profession? What moral theory (or theories) could be used to support your view? In light of this, how would you answer Mann's three questions toward the end of the article?

Cases

Case 10-1

Ronald Hall, a journalist with ten years of experience, heads out the door for the press conference. The government is announcing a new foreign policy initiative, and while the press conference itself will be heavily attended by journalists, it will also be fairly easy to cover; detailed press releases will be handed out, and the questions from the floor will be monitored very carefully. This means that most, if not all, of Ron's work is finished. Most large events are handled this way, and it seems to achieve the goal of avoiding embarrassing questions being asked of the public officials. Although Ron finds this restrictive approach a bit disconcerting, he thinks there is nothing really wrong with this way of proceeding. It seems objective, and the governmental press releases usually present both sides of the issues.

1. Ron seems to be willing to trust the authority of the government and the handouts provided at these press conferences. Can you think of any problems with proceeding this way? What other steps, if any, should he take in covering this news issue? What would Detmer say about this?
2. Ron thinks that governmental press releases seem to bring with them a sense of order and objectivity. What sorts of assumptions drive this claim? Moreover, what sorts of objections does Detmer provide?
3. Is this really a good way to make sure the issue in question is properly addressed by the media? Does it make a difference that the government claims to provide both sides of the issue? What could Ron do about it anyway?

Case 10-2

Having your work recognized by your peers is gratifying. Stacey Harding knows this all too well. She has been writing a column in a major newspaper for several years. Recently her views on social and political issues have become the focus of many interest groups, and she has consequently accepted invitations for a few speaking engagements. While the attention has been flattering, the honoraria have been even more satisfying. Additionally, her associates and superiors have been supportive in many ways. When the speaking engagements have taken her away from her column, coworkers have pitched in to cover some of her responsibilities. Recently, however, the newspaper's board of directors has become concerned with her receiving of honoraria. Although the board is proud of her accomplishments, it worries that receiving such gifts might be a conflict of interest and, in any case, will give the appearance of impropriety. The board recommends that Stacey either stop receiving such gifts or stop writing her column. Stacey feels that such a request violates her rights.

1. According to Lichtenberg, does the board of directors have any grounds for the worry over conflict of interest? What arguments could the board of directors enlist to support their view? Do you agree?
2. What is the specific right possessed by Stacey that might be compromised? What arguments could she use to support her position?
3. Which position would Detmer's view support?
4. From a moral point of view, are Stacey's rights more important than the newspaper's concern to avoid the appearance of impropriety? How can these competing interests be "weighed" ethically? What moral theory (or theories) might be useful here?

Case 10-3

The news of President Nixon's involvement in the Watergate scandal eventually led to his resignation in 1972. Nixon maintained his innocence and was eventually pardoned by his successor, President Ford. In 1997 President Clinton's involvement with Monica Lewinsky was leaked to the media, and every major newspaper carried the story for many weeks. Though he maintained his innocence for some time, Clinton eventually admitted, while under oath, that his involvement with Lewinsky was not merely platonic.

1. What are the morally relevant similarities between these cases? What are the morally relevant differences? Would the differences, if any, imply that they warrant different sorts of media coverage?
2. How would Cohen-Almagor categorize each of these events? Would you agree?
3. In light of these classifications, is either story worthy of media coverage? If so, what characteristics of the stories make them newsworthy? What moral theory (or theories) could support your answers?
4. What would Cohen-Almagor say about these cases? What moral theory (or theories) could support his position?

Case 10-4

House Speaker-elect Bob Livingston (R-Louisiana) and Congressman Bob Barr (R-Georgia) were both the focus of the media during President Clinton's impeachment trial. Livingston, who later resigned, admitted that during his marriage of thirty-three years he had been unfaithful to his wife. Barr, who served on the House Judicial committee investigating President Clinton and who had been an antiabortion advocate, admitted to paying for an abortion procedure for his wife.

1. In your opinion, do you think the media had good justification to expose the actions of Livingston and Barr? Why or why not?
2. Using his four conditions, would Thompson claim that the private conduct of Livingston and Barr may be exposed? What would be your determination using these conditions?
3. Is the alleged hypocrisy of both Livingston and Barr relevant in the determination of whether to expose these aspects of their private lives? Why or why not?
4. Thompson argues that it is possible to separate private and public virtues. Do you agree? Based on your answer, would moral requirements that apply to one's private life also apply to one's public life? How, if at all, would this be relevant to this case?