MASS MEDIA ETHICS

TAKING RESPONSIBILITY

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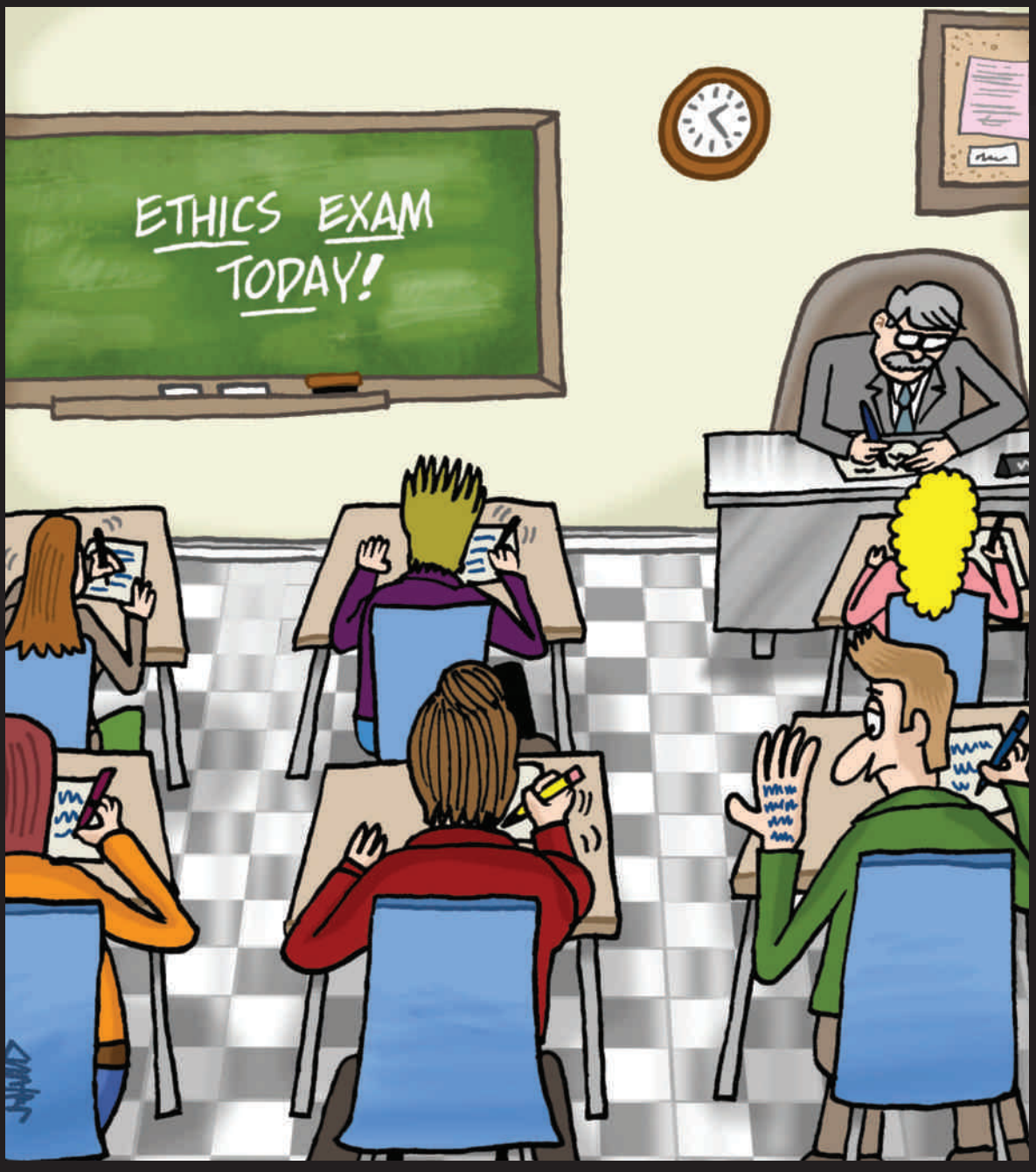


Jon Carter/CartoonStock.com

What's Ahead?

- Ethics Define Responsibilities
- Truthfulness Affects Credibility
- Fairness Means Evenhandedness
- Privacy Involves Respect
- Responsibility Generates Trust
- Five Philosophical Principles Govern Media Ethics
- Media's Ethical Decisions Carry Consequences
- Professional Associations Proscribe Behavior
- Media Organizations Respond to Criticism
- Professional Codes Preserve Media Credibility

"We owe you, our readers, an apology. Plagiarism is an act of disrespect to the reader. We are deeply embarrassed and sorry to have misled you."

—BEN SMITH, EDITOR-IN-CHIEF, BUZZFEED

"Most of us would rather publish a story than not," explained journalist Anthony Brandt in an Esquire magazine article about ethics. "We're in the business of reporting, after all; most of us believe the public should know what's going on, has a right to know, has, indeed, a responsibility to know, and that this right, this responsibility, transcends the right to privacy, excuses our own pushiness, our arrogance, and therefore ought to protect us from lawsuits even when we are wrong.

"But most reporters also know there are times when publishing can harm or ruin people's lives. Members of the press sometimes print gossip as truth, disregard the impact they have on people's lives, and are ready to believe the worst about people because the worst sells. . . . We in the media have much to answer for."

Ethics Define Responsibilities

Discussions about how journalists answer for what they do center on questions of ***ethics***. The word derives from the Greek word *ethos*—the guiding spirit or traditions that govern a culture. Part of American culture is the unique protection journalists enjoy under the First Amendment, so any discussion of ethics and the American media must acknowledge the cultural and professional belief under the U.S. Constitution that First Amendment privileges carry special obligations.

But the discussion of media ethics today should be framed internationally. Worldwide access to the Internet means that the work media professionals perform—in the U.S. and abroad—travels globally, no matter where the work originates.

Professional ethics are the rules and standards that govern the conduct of people working in a specific profession. In some countries, like the U.S., professional associations have established voluntary ethics codes for people who work in the mass media industries and many corporations prescribe codes of conduct for employees who work with the media. In other countries, courts, corporations and journalists' unions enforce breaches of ethical conduct. But in many countries, media companies have no overriding ethics guidelines for media workers and rely, instead, on individuals to make ethical decisions.

It is important to understand the value of ethical standards in the mass media business because when media professionals make the wrong ethical choices, the consequences can be very damaging and very public. "It may well be that if journalism loses touch with ethical values, it will then cease to be of use to society, and cease to have any real reason for being," writes media ethics scholar John Hulteng. "But that, for the sake of all of us, must never be allowed to happen."

Mass media professionals make poor ethical judgments for many reasons. They work quickly. They sometimes act impulsively because the rush to be first with a story overrides the desire to be right. Sometimes they don't research well enough to question the reliability of what they're told. They may be rewarded with attention and monetary success by enhancing the importance of their role in the events they cover. And they can become insensitive to the consequences of their unethical actions on the people who ultimately are affected by what they do.

Ethics The rules or standards that govern someone's conduct.

Professional Ethics The rules or standards governing the conduct of the members of a profession.

The media face four types of ethical issues:

1. Truthfulness
2. Fairness
3. Privacy
4. Responsibility

Consider these actual situations and the questions that arise:

Example 1: Truthfulness. A veteran anchorperson at a major TV network falsely reported he had been shot down by rocket-propelled grenade fire while reporting in Iraq. When this falsehood was uncovered, the network began an inquiry into other stories he had reported and concluded there had been several fabrications. After an independent investigation, the network suspended him as anchor and reassigned him to a reporting job at one of its secondary news outlets. Question: Why is credibility such an important asset for a news organization?

Example 2: Fairness. A TV network host who regularly interviewed government officials on his program admitted that he had given $75,000 to a foundation run by political figures and that he did not publicly disclose the donations. The network allowed him to remain on the program but said it would consider canceling his participation in the network's 2016 presidential debate coverage. Question: Why should newspeople who cover government be required to disclose contributions to political candidates?

Example 3: Privacy. Reporters at a tabloid newspaper hacked into personal e-mail accounts and illegally obtained access to private voice mails of celebrities and public officials. Did the reporters infringe on the person's privacy, or should public figures just learn to live with this type of intrusion?

Example 4: Responsibility. At a private party, an influential Internet executive discussed plans to investigate the private life of a technology journalist who was writing unfavorable stories about his company. The conversation was reported online. The executive's boss later publicly apologized, but the incident pointed out the expectation among many venture capitalists that they will receive only flattering coverage from technology reporters because many people who write about the Internet industries work for businesses that are financed by the companies they cover. Question: Why is it important for technology companies to maintain a professional distance from reporters and for reporters to maintain editorial independence from the companies they cover?

Truth versus falsehood is the issue for the anchorperson who embellished his role in the news stories he covered in example 1. Fairness versus bias is the question for the news program host who did not publicly report his large donation in example 2.

Personal privacy versus invasion of privacy is the debate facing the Internet site that posted the video in example 3. Responsibility versus irresponsibility is the issue for technology writers who cover the world of Internet startups in example 4.

Some ethical debates are easier to resolve than others. These four incidents and several other examples outlined in this chapter demonstrate the amazing range of ethical dilemmas facing media professionals and their companies every day.

Truthfulness Affects Credibility

Truthfulness in reporting means more than being accurate and not lying. Truthfulness means not misrepresenting the people or the underlying motives of a story, as well as reporting the complete story. Another aspect of truthfulness is presenting original, complete work that is not embellished or borrowed from other sources.

Fabrications

The journalist described in example 1 is NBC anchor Brian Williams. On January 30, 2015, on *NBC Nightly News*, Williams, during a tribute to a retired military veteran who had provided security for Williams when he reported from Iraq in 2003, said he was aboard a Chinook helicopter when it was forced down.

A few days later the military paper *Stars and Stripes* reported that soldiers aboard the helicopter disagreed that Williams was aboard the helicopter and raised doubts about his story. NBC began an investigation, which turned up more questions about Williams' role in reporting during Hurricane Katrina and protests in Egypt's Tahrir Square.

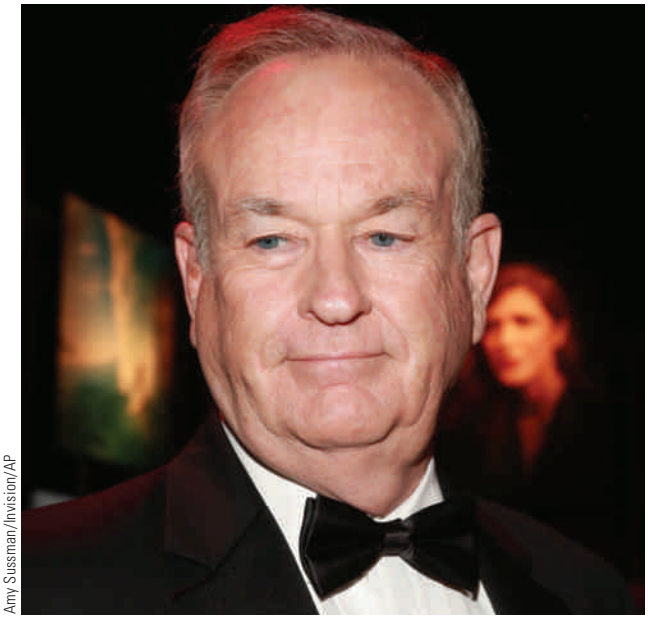
NBC suspended Williams from *NBC Nightly News*, and less than six months later, the network announced that Williams had been reassigned to MSNBC. Williams publicly apologized, saying his ***fabrications*** "came from clearly a bad place, a bad urge inside of me."

In February 2015, shortly after the Williams incident, the Web site *Mother Jones* raised questions about Fox News host Bill O'Reilly's claims to have reported from an active "war zone" in Argentina in 1982, at the end of the Falklands War, as O'Reilly had repeatedly said on the air and in his 2001

Fabrication Something made up in order to deceive.

NBC NewsWire/Jeff Riggins/Getty Images

In 2015, anchor Brian Williams was suspended from *NBC Nightly News* after a network investigation showed that he had falsely claimed he was aboard a helicopter that was shot down in 2003 during the Iraq War. He was reassigned to MSNBC.



Amy Sussman/Invision/AP

Fox News admitted that Bill O'Reilly, host of the Fox News program *The O'Reilly Factor*, did not witness bombings in Northern Ireland or murders in El Salvador, as he had claimed. But Fox maintained its "staunch support" for O'Reilly and he retained his position as host of the program.

book *The No Spin Zone: Confrontations with the Powerful and Famous in America*. Erik Engberg, a former CBS reporter who was with O'Reilly in Argentina, said in a Facebook post that O'Reilly "has displayed a willingness to twist the truth in a way that seeks to invent a battlefield that did not exist." Six other CBS journalists also challenged O'Reilly's claims.

O'Reilly responded to the charges on his show, *The O'Reilly Factor*, calling the *Mother Jones* reports "disgusting" and "a piece of garbage." "Every single thing I said is true," O'Reilly told *The New York Times*.

Within days, more inconsistencies emerged in O'Reilly's version of events in other stories he had reported. Answering questions from the *Washington Post*, Fox News admitted that O'Reilly had not witnessed any bombings in Northern Ireland or murders in El Salvador, as he had claimed, and had only seen photographs, another example of fabrication. Still, a Fox spokesperson told *The Guardian* newspaper, "Fox News maintains its staunch support of O'Reilly," and he retained his role on the network.

"Fox News has a market; the market is people who don't trust the news media," New York University journalism professor Jay Rosen told *The New York Times*. "That strategy requires personalities like Bill O'Reilly to be under attack from the rest of the news media." *The Times* reported that *The O'Reilly Factor* generated $100 million in advertising revenue in 2014.

In a third example of fabrication, *Tablet* magazine revealed in July 2012 that Jonah Lehrer, 31, author of the best-selling book *Imagine: How Creativity Works*, had fabricated quotes from musician Bob Dylan in his book. Only a month before, Lehrer, a writer for *The New Yorker*, had publicly apologized for taking some articles he had published in *The Wall Street Journal* and other publications and republishing them on his blog at *The New Yorker*.

After the *Imagine* fabrication was discovered, Lehrer admitted he had made up the quote and resigned from *The New Yorker*. "This is a terrifically sad situation," *New Yorker* editor David Remnick said in a statement, "but, in the end, what is most important is the integrity of what we publish and what we stand for."

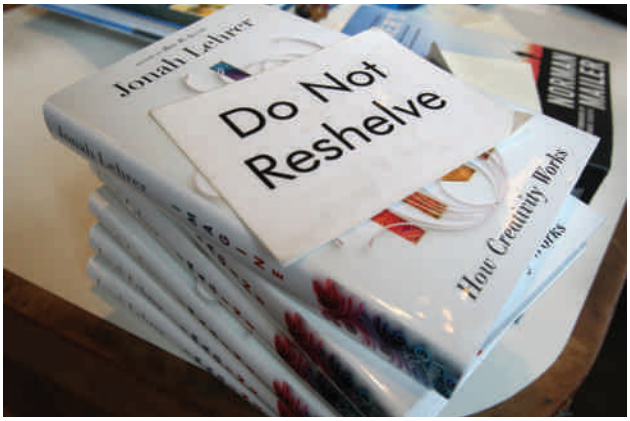
Lehrer's publisher, Canongate Books, asked all its retailers to return the books; *Imagine* had sold 200,000 hardcover and e-book copies before it was pulled from the shelves.

Plagiarism

Internet access to other people's work makes ***plagiarism*** easy, but the Internet also makes plagiarism easier to detect. At most media outlets, plagiarists who are caught are dismissed and asked to issue a public apology, so it's surprising that instances of plagiarism happen as often as they do.

Beginning on July 23, 2014, Twitter users began pointing out sentences and phrases copied by BuzzFeed writer Benny Johnson from stories that initially appeared on other

Plagiarism Passing off as your own the ideas or writings of others.



Suzanne Kreiter/The Boston Globe via Getty Images

In July 2012, *New Yorker* writer Jonah Lehrer resigned after it was discovered that he had fabricated quotes for his book, *Imagine: How Creativity Works.* His publisher asked retailers to return the books.

Web sites. After an investigation, BuzzFeed dismissed Johnson and posted a list of 41 examples of his plagiarized content, including unverified and unattributed entries he had used from Wikipedia.

"We owe you, our readers, an apology," wrote BuzzFeed editor Ben Smith. "This plagiarism is a breach of our fundamental responsibility to be honest with you—in this case about who wrote the words on our site. Plagiarism, much less copying unchecked facts from Wikipedia or other sources, is an act of disrespect to the reader."

In 2010, *The New York Times* suspended reporter Zachery Kouwe after editors said Kouwe had plagiarized portions of an article he wrote for *The Times* from an earlier online article by another reporter for *The Wall Street Journal*. When editors of *The Journal* contacted *The Times* about the similarity, *Times* editors investigated some of Kouwe's other stories and found more examples of plagiarism.

"In a number of business articles in *The Times* over the past year, and in posts on the DealBook blog on nytimes.com, a *Times* reporter appears to have improperly appropriated wording and passages published by other news organizations," wrote *The Times* on its Corrections page. "A subsequent search by *The Times* found other cases of extensive overlap between passages in Mr. Kouwe's articles and other news organizations'. . . . Copying language directly from other news organizations without providing attribution—even if the facts are independently verified—is a serious violation of *Times* policy and basic journalistic standards. It should not have occurred." Kouwe resigned.

Courtesy of Shirley Biagi

In July 2014 the news Web site BuzzFeed dismissed writer Benny Johnson after identifying 41 instances of plagiarism in the 500 stories he had written for the site.

Misrepresentation

In a stunning example of ***misrepresentation***—the presentation of a false or misleading representation of something or someone—that lasted two decades, a reporter for Britain's *News of the World* disguised himself as a sheikh and enticed several famous people into compromising situations. He then reported on their wrongdoing and, if they were arrested, often testified against them in court.

Known in England as "the fake sheikh," Mazher Mahmood received several awards for his reporting and claimed responsibility for convictions in 25 criminal cases. However, in July 2014, Mahmood's behavior came under scrutiny after he testified in a case against singer Tulisa Contostavlos that she had bought him cocaine. The judge dismissed the case, saying Mahmood had been "manipulating the evidence" against the actress. Then in November 2014, the British Broadcasting Corporation presented a 30-minute documentary about his methods. Mahmood was suspended from *News of the World* and British authorities are reviewing some of the convictions. (See **Impact/Global**, "Fake Sheikh Mazher Mahmood: 25 Criminal Convictions Linked to Undercover Reporter to be Re-examined," p. 316.)

"Mazher Mahmood is part of that culture of ruthlessness," reporter Nick Davies told *The New York Times*. Davies, who works for the respected British newspaper *The Guardian*, said, "The big picture here is that

Misrepresentation The presentation of a false or misleading representation of something or someone.

IMPACT Global

Fake Sheikh Mazher Mahmood: 25 Criminal Convictions Linked to Undercover Reporter to be Re-examined

By James Rush

LONDON. Convictions in 25 criminal cases where evidence was given by undercover reporter Mazher Mahmood are being re-examined, the Crown Prosecution Service [CPS] has said.

The CPS said it had identified current and past cases where the "Fake Sheikh" was a prosecution witness following the collapse of the trial of pop singer and former *X Factor* judge Tulisa Contostavlos.

It said while past cases which resulted in a conviction were now being "considered," it had also offered no evidence in three live cases where the undercover journalist was a prosecution witness.

A CPS spokesman said: "We are now considering past cases which resulted in a conviction in criminal courts in England and Wales based on evidence provided by Mr. Mahmood, and have identified 25 cases.

"As part of this process, over the coming weeks, CPS Areas will be contacting representatives of the defendants—or defendants themselves as necessary—convicted in these cases in order to provide them with a disclosure pack—details of material which they may consider undermines the conviction in a specific case."

Mr. Mahmood, a former *News of the World* reporter, was suspended by the *Sun* on [November 30, 2014] following the collapse of Ms. Contostavlos' trial in July [2014].

The former N-Dubz star went on trial after allegedly boasting that she could "sort out" cocaine for Mr. Mahmood and put the reporter in touch with her rapper friend Mike GLC—real name Michael Coombs.

But both were cleared after Judge Alistair McCreath said there were "strong grounds" to believe Mr. Mahmood lied in the witness box and "had been manipulating the evidence."

The CPS spokesman said today: "Following the halting of the trial of Ms. Contostavlos, we took steps to identify current and past cases involving Mr. Mahmood as a prosecution witness.

"We made it our immediate priority to carefully look into live prosecutions in accordance with the Code for Crown Prosecutors and any past cases which involved a defendant still in custody.

"There were no concluded cases where a defendant was still in custody, but we identified three live cases. Each case was looked at individually and no evidence was offered as we concluded that there was no longer a realistic prospect of a conviction."

AP Images

British authorities announced they would be reviewing convictions in several cases in which reporter Mazher Mahmood (the "Fake Sheikh") testified for the prosecution after a judge dismissed charges against singer Tulisa Contostavlos, who had been the subject of a Mahmood undercover article. The judge said there was strong evidence Mahmood had been "manipulating the evidence."

Excerpted from James Rush, "Fake Sheikh Mazher Mahmood: 25 Criminal Convictions Linked to Undercover Reporter to Be Re-examined After Collapse of Tulisa Trial," *The Independent*, December 4, 2014.

the commercial pressure to deliver stories that will sell the paper and make more money is an irresistible force in those newsrooms. What it translates into is reporters' being told, 'Do whatever you need to do, and if that involves breaking the law, that's OK.'"

The classic case of several instances of journalistic misrepresentation by a prominent reporter involved Jayson Blair, a *New York Times* reporter who was forced to resign on May 1, 2003. The day he resigned, *The Times* published a front-page story, "*Times* Reporter Who Resigned Leaves Long Trail of Deception," which began: "A staff reporter for *The New York Times* committed frequent acts of journalistic fraud while covering significant news events in recent months, an investigation by *Times* journalists has found. The widespread fabrication and plagiarism represent a profound betrayal of trust and a low point in the 152-year history of the newspaper." *The Times* said that as a reporter for *The Times*, 27-year-old Blair had:

- Written stories purported to be filed in Maryland, Texas and other states, when often he was still in New York.
- Fabricated comments.
- Concocted scenes.
- Stolen material from other newspapers and wire services.
- Selected details from photographs to create the impression he had been somewhere or seen someone, when he hadn't.

The Times then published an exhaustive, unprecedented eight-page accounting of 73 significant falsehoods in Blair's stories *The Times* had published, detailing every traceable error, based on an internal investigation by its own reporters. In one story, for example, Blair had reported details from inside the National Naval Medical Center in Bethesda, Md., but the hospital said Blair had never been there. In another story about a stricter National Collegiate Athletic Association standard for class attendance, Blair quoted someone who said he had never talked to Blair and Blair used quotes from another newspaper as his own.

When discussing Blair's case, Alex S. Jones, a former *Times* reporter and co-author of *The Trust: The Private and Powerful Family Behind The New York Times*, told *The Times*: "To the best of my knowledge, there has never been anything like this at *The New York Times*. . . . There has never been a systematic effort to lie and cheat as a reporter at *The New York Times* comparable to what Jayson Blair seems to have done."

Less than two months later, *The Times*' two top editors, who were responsible for hiring and supervising Blair, resigned.

When reporters misrepresent the facts or create false stories, readers and viewers question all information published by similar sources. Is the information fiction or fact? Has the subject of the story been set up? Misrepresentations also can have legal consequences for companies that publish, broadcast or post false information.

Fairness Means Evenhandedness

Fairness implies impartiality—that the writer has nothing personal to gain from a report, that there are no hidden benefits to the writer's organization or to the source from the story that is being presented or being withheld. Criticism of the press for unfairness results from:

- Close ties that develop between reporters and the stories they cover—called *insider friendships*.
- Reporters who accept personal or financial benefits from sources, sponsors or advertisers—called *conflicts of interest*.
- Reporters who pay their sources for stories—called *checkbook journalism*.

Insider Friendships

The person in example 2 is ABC Chief anchor George Stephanopoulos. In May 2015, Stephanopoulos acknowledged he did not publicly disclose he had donated

Heidi Gutman/ABC via Getty Images

ABC chief anchor George Stephanopoulos acknowledged in May 2015 that he had donated $75,000 between 2012 and 2014 to the Clinton Foundation after the Web site Politico reported the gifts. On September 23, 2014, Stephanopoulos (right) interviewed former president Bill Clinton about the Clinton Global Initiative on ABC's *Good Morning America*.

$75,000 to the Clinton Foundation, run by former president Bill Clinton and 2016 presidential candidate Hillary Clinton, after the Web site Politico reported the gift. Stephanopoulos had worked as communications director in the Clinton White House before going to work for ABC, and on September 23, 2014, Stephanopoulos had interviewed the former president about the Clinton Global Initiative on ABC's *Good Morning America*, an example of insider friendships.

Stephanopoulos apologized in a statement. "I thought my donations were a matter of public record. However, in hindsight I should have taken the extra step of personally disclosing my donations to my employer and to the viewers on air during the recent news stories about the foundation. I apologize." ABC retained Stephanopoulos on the program but indicated he might be barred from participating in the 2016 presidential debate coverage because of the potential candidacy of Hillary Clinton.

ABC's reaction contrasts with two other examples of undisclosed donations five years earlier that involved MSNBC. On November 5, 2010, MSNBC announced it was suspending TV political commentator Keith Olbermann without pay after MSNBC TV President Phil Griffin learned that Olbermann had violated newsroom policies by contributing to three Democratic congressional candidates.

Olbermann admitted he made three donations of $2,400 but issued a statement that said he did not use his influence in any other way. "I did not privately or publicly encourage anyone else to donate to these campaigns, nor to any others in this election or any previous ones, nor have I previously donated to any political campaign at any level," he said. MSNBC, which originally suspended him indefinitely, announced a two-day suspension. Olbermann resigned from MSNBC in January 2011.

Less than a month later, MSNBC announced another two-day suspension of the co-host of its morning program after the online site Politico reported that Joe Scarborough had donated $4,000 in recent years to three Republican candidates in Florida. The contributions, Scarborough said, "were not relevant to my work at MSNBC." He had not reported on any of the races to which he gave money, he said.

Scarborough's suspension "underscored the idiosyncrasy of a policy that seeks to protect NBC's journalistic integrity, but does not differentiate between news reporters and political commentators," wrote *The New York Times* (NBC owns MSNBC). MSNBC President Phil Griffin said, "As Joe recognizes, it is critical that we enforce our standards and policies." Scarborough said, in a statement, "There is nothing more important than maintaining the integrity" of the news.

In the Stephanopolous, Olbermann and Scarborough examples, the news organizations were dealing with the potential public perception that insider contacts might affect the overall credibility of its news coverage. The networks believed that political donations could interfere with the public's trust in news organizations, although the consequences for the people involved were different. Even the appearance of insider friendships removes the very important element of a news organization's independence from the people and events it covers, but there is no standardized response for media organizations when the conflicts are uncovered.

Conflicts of Interest

Reporters with conflicts of interest are divided between at least two loyalties, and the ethical question is this: How will the stories the reporters write and the integrity of the organizations for which they work be affected?

One type of conflict of interest involves allowing the subject of a report to alter its content before the report is broadcast, published or posted, fearing that the subject will not cooperate without control. In June 2015, PBS postponed a future season of the show *Finding Your Roots* after the network discovered that producers had omitted information about actor Ben Affleck's slave-owning ancestor from the report at Affleck's request. (See **Impact/Profile**, "Citing Ben Affleck's 'Improper Influence,' PBS Suspends *Finding Your Roots*," p. 319.)

Another type of conflict of interest happens when reporters accept free meals and passes to entertainment events (freebies) and free travel (junkets). In one survey of newspapers, nearly half said reporters accepted free tickets to athletic events, and nearly two-thirds accepted free tickets to artistic events. In an editorial about junkets, *The New York Times* said, "Accepting junkets and boondoggles does not necessarily mean that a reporter is being bought—but it inescapably creates the appearance of being bought."

Accepting junkets and freebies creates an appearance of conflict of interest—even if the reporters don't write favorably about the places they visit. In 2010, however, a newspaper took the unusual step of taking money from an advertiser to help pay for its coverage of the war in Afghanistan.

On September 27, 2010, the *New Hampshire Union Leader* (*UL*), the state's largest newspaper, announced the paper had accepted underwriting from three major New Hampshire businesses so its publisher and a staff photographer could travel to Afghanistan to report on a New Hampshire National Guard unit serving there. One of the underwriters, BAE Systems, is the state's largest manufacturing firm and works mainly in the defense industry,

IMPACT Profile

Citing Ben Affleck's 'Improper Influence,' PBS Suspends *Finding Your Roots*

By John Koblin

PBS said on Wednesday that it was postponing a future season of "Finding Your Roots" after an investigation revealed that the actor Ben Affleck pressured producers into leaving out details about an ancestor of his who owned slaves.

PBS will not run the show's third season until staffing changes are made, including hiring a fact checker, it said.

The show, which is hosted by the Harvard professor Henry Louis Gates Jr., traces family histories of celebrities and public figures, and has run for two seasons. The concern about Mr. Affleck's relative surfaced in the WikiLeaks cache of hacked Sony emails after Mr. Gates asked a Sony executive for advice about a "megastar" who wanted to omit a detail about a slave-owning ancestor.

"We've never had anyone ever try to censor or edit what we found," Mr. Gates wrote to a Sony executive, Michael Lynton, in July 2014. Mr. Gates added that this would violate PBS rules, and "once we open the door to censorship, we lose control of the brand."

When the episode was broadcast in October [2014], it did not mention the slave-owning ancestor. After the emails were posted to WikiLeaks, Mr. Gates said that producers had discovered more interesting ancestors from Mr. Affleck's family, including a relative from the Revolutionary War and an occult enthusiast.

Mr. Affleck said in April [2015] that he was "embarrassed" when he discovered that he was related to a slave owner. "I didn't want any television show about my family to include a guy who owned slaves," Mr. Affleck wrote on Facebook.

In the investigation, PBS said that producers violated network standards by letting Mr. Affleck have "improper influence" and "by failing to inform PBS or WNET of Mr. Affleck's efforts to affect program content."

The network said that before the third season of *Finding Your Roots* can broadcast, the show needs to make some staffing changes, including the addition of a fact checker and an "independent genealogist" to review the show's contents.

PBS also said that it had not made a decision about whether to commit to a fourth season of the show.

In a statement on Wednesday, Mr. Gates said, "I sincerely regret not discussing my editing rationale with our partners at PBS and WNET and I apologize for putting PBS and its member stations in the position of having to defend the integrity of their programming."

Albert L. Ortega/Getty Images

PBS postponed its 2015 season of *Finding Your Roots* after the network learned the program's producers had omitted details about Ben Affleck's slave-owning ancestor under pressure from the actor.

John Koblin, "Citing Ben Affleck's 'Improper Influence,' PBS Suspends *Finding Your Roots*," June 24, 2015, nytimes.com.

according to a story about the incident published by The Newspaper Guild.

Citing declining revenue because of the recession, the newspaper's publisher wrote, "I had a hunch that I knew some companies that would feel the same way as the *Union Leader*, that the story of Charlie Company ought to be told and that, with their assistance, New Hampshire's newspaper and UnionLeader.com could and should tell it."

Many readers didn't agree. "The *UL* takes money from BAE and other companies? That is obvious conflict of interest," wrote one reader. "How can we trust the *UL* to report on these companies in an objective way when they are taking money from them? We can't. These stories will be nothing more than propaganda."

In a similar type of conflict of interest, *The Washington Post* in 2009 issued invitations to lobbyists, members of Congress and other influential people in Washington to

attend a *Washington Post* "salon" at publisher Katharine Weymouth's home. Guests were invited to buy sponsorships ($25,000 for one or $250,000 for the entire series) to attend off-the-record dinners hosted by the newspaper's editor, Marcus Brauchli.

After a story on Politico (an online competitor) made the event public, *The Post* canceled it, and Weymouth apologized to *The Post*'s readers, although she said Politico had characterized the invitation incorrectly. The planned event highlights the conflicts of interest that can develop when the business side of a media organization overlaps the news side.

Checkbook Journalism

In 2012, Alliance, the film company that represented actor Brad Pitt, requested £2,000 (approximately $3,000) from journalists for a 20-minute interview with Pitt at the Cannes Film Festival, an example of ***checkbook journalism***—paying an interview source, directly or indirectly, for access. Alliance claimed it was not a direct interview payment but helped cover some of the star's costs for the trip. This is an example of checkbook journalism.

"In a way, there is nothing new about this," wrote journalist Sam Hattenstone, whose British newspaper, *The Guardian*, doesn't pay for interviews. "After all, interviews with celebrities have always been an exchange of sorts—you promote your movie, song, book, and we get pretty pictures, gossip and hopefully even insight into said star. Some newspapers always preferred the cleaner deal of paying for interviews. Then you can whisk away your subject, hold them in captivity and interview the life out of them—because you've paid for it."

In 2009, some journalists who were covering the kidnapping story of Jaycee Lee Dugard—a young girl who said she had been held in captivity for 18 years in Antioch, Calif.—offered payments to several neighbors near the place where she lived with her alleged kidnappers, Phillip and Nancy Garrido. Interview payments to witnesses are quite common in Europe, but they present serious ethical problems for reporters who cannot pay for information about the story they are covering.

According to the *Los Angeles Times*, one Garrido neighbor, Damon Robinson, was talking to reporters from CNN, the Associated Press and the *Times* when a British journalist offered Robinson $2,000 if he would stop talking with other reporters and give the British journalist an exclusive. According to the *Times*, "Robinson complied."

Two years later, when Jaycee Lee Dugard was ready to talk with the press, ABC News paid for exclusive rights to the interview.

Besides ethical questions about whether actors, newsmakers, witnesses and even criminals should profit financially from manufactured publicity, there are other hazards in any type of checkbook journalism. One danger is that a paid interviewee may sensationalize the information to bring a higher price, so the interviewee's truthfulness cannot always be trusted.

A second hazard is that paid interviews may become the exclusive property of the highest bidder, shutting out smaller news organizations and independent journalists from the information.

A third possibility is that the person who is paid by the news organization to comment could carry a hidden agenda.

Vittorio Zunino Celotto/WireImage for Electrolux

The film company Alliance requested £2,000 for a 20-minute interview with actor Brad Pitt at Cannes in 2012, an example of checkbook journalism.

Privacy Involves Respect

Private Acts That Become Public

Privacy for e-mail and voice communications is a very important ethical and legal issue (see also **Chapter 14**). In July 2011, the British newspaper The Guardian reported that journalists at the competing British tabloid *News of the World* (owned by a subsidiary of Rupert Murdoch's News Corp.) repeatedly hacked e-mails and voice mails belonging to British and U.S. celebrities and government officials. This is the case listed as example 3 on p. 313. There were at least 800 documented hacking victims, allegedly including Queen Elizabeth II and former Prime Minister Gordon Brown as well as actor Jude Law.

Murdoch printed a public apology and then shut down the 168-year-old newspaper. In January 2012, News Corp.

Checkbook Journalism The practice of a news organization paying for an interview or a photograph.

Jeff J Mitchell/Getty Images

In 2012, Andy Coulson, editor of the now-defunct British tabloid *News of the World* (owned by Rupert Murdoch), was charged with paying bribes of up to $160,000 for access to public officials' e-mails and voice mails. In 2015, Coulson was convicted in the phone hacking and required to pay up to £750,000 to cover the trial's court costs.

agreed to pay substantial damages to 37 victims, including actor Jude Law.

In November 2012, prosecutors in London charged two former top executives at the newspaper, Rebekah Brooks and Andy Coulson, with paying bribes of up to $160,000 to public officials for information, in addition to several earlier charges. Brooks eventually was acquitted, but Coulson was convicted in 2015 and required to pay up to £750,000 to help cover court costs.

Reporting on Rape

Reporting on rape is another example of a complex ethical dilemma of privacy: How does the press balance the goal of truthfulness and fact-finding with the need for personal privacy? Is the pain that such a report may cause worth the public good that can result from publishing the information?

Traditionally, common newsroom practice forbids the naming of rape victims in stories. But in 1989, *Des Moines Register* editor Geneva Overholser startled the press community when she wrote an editorial arguing that newspapers contribute to the public's misunderstanding of the crime by withholding not only the woman's name but an explicit description of what happened.

In 1990, *The Register* published a five-part series about the rape of Nancy Ziegenmeyer, with Ziegenmeyer's full cooperation. Ziegenmeyer had contacted *The Register* after Overholser's column appeared, volunteering to tell her story. The Ziegenmeyer series provoked wide-ranging debate among editors about this aspect of privacy.

Twenty-five years later, in July 2015, *New York* magazine reignited the controversy about identifying rape victims when the magazine's cover showed photos of 35 women who alleged that entertainer Bill Cosby sexually assaulted them. The magazine also posted detailed personal accounts from each woman on its Web site. Cosby has denied the charges.

The women consented to the coverage and the magazine commissioned a photographer to take the photos. The cover story reinvigorated a long-running debate about whether the media should identify victims who claim sexual assault, as it does with victims of other crimes, or whether their identities should remain private.

Is there more benefit to society by publishing a victim's name, with the victim's permission, than by withholding it? Should the press explicitly describe sexual crimes, or is that merely sensationalism, feeding the public's salacious curiosity?

The Bollea, Coulson, Ziegenmeyer and *New York* magazine examples demonstrate how complex privacy issues have become. When do journalists' efforts to get a story go too far? Is it ever in the public interest to divulge personal information about private individuals? How important is the public's right to know?

Responsibility Generates Trust

The stories that reporters choose and the ways they use the information they gather reflect on the profession's sense of public responsibility. Most reporters realize that

Richard Levine/Corbis News/Corbis

In July 2015, *New York* magazine reignited the debate about the ethics of identifying rape victims when the magazine's cover showed photos of 35 women, with their consent, who alleged that entertainer Bill Cosby sexually assaulted them. Cosby has denied the charges.

the way they characterize an event can affect how the public perceives the story. The mere presence of the media also magnifies the consequences of what is reported.

Many Internet venture capitalists, for example, have come to expect positive coverage from Internet media companies. In this interdependent culture, where positive press may generate millions from investors, technology companies bristle at any negative coverage, which can hinder investment and decrease revenue. With the financial stakes so high, venture capitalists and the people who report on them sometimes find it difficult to maintain a responsible distance.

Example 4 concerns the Internet ride-sharing company Uber. On Monday, November 17, 2014, the Web site BuzzFeed reported that Uber senior vice president Emil Michael suggested at a private dinner that the company had considered an investigation into the private life of Sarah Lacy, a technology journalist who had been critical of the company.

Uber CEO Travis Kalanick issued an apology on Twitter the next day, in a series of 13 short messages, which included the following: "Emil's comments at the recent dinner party were terrible and do not represent the company. His remarks showed a lack of leadership, a lack of humanity, and a departure from our values and ideas. His duties here at Uber do not involve communications strategy or plans and are not representative in any way of the company approach. Instead, we should lead by inspiring our riders, our drivers and the public at large." (See **Impact/Society**: "Reaction to Uber Tactics Highlights Tech Journalists' Fine Line Between Critic and Booster," p. 323.)

All news organizations must accept responsibility for editorial review and oversight of stories that reach the public. Companies that work with the media should realize that it is impossible to completely control how their businesses are portrayed and that seeking retribution against reporters reflects poorly on the company.

Responsible companies encourage ethical behavior and continually remind their employees about their public and professional responsibilities.

Five Philosophical Principles Govern Media Ethics

Ethicists prescribe only general guidelines for moral decisions because each situation presents its own special dilemmas. First, it is important to understand the basic principles that underlie these philosophical discussions. In their book *Media Ethics*, Clifford G. Christians, Kim B. Rotzoll and Mark Fackler identify five major philosophical principles underlying today's ethical decisions: (1) Aristotle's golden mean, (2) Kant's categorical imperative, (3) Mill's principle of utility, (4) Rawls' veil of ignorance and (5) the Judeo-Christian view of persons as ends in themselves.

1. Aristotle's golden mean: According to Aristotle, virtue is "the mean between two extremes." This is a philosophy of moderation and compromise, often called the *golden mean*. The journalistic concept of fairness reflects this idea.

2. Kant's categorical imperative*:* "Act on that maxim which you will to become a universal law." Eighteenth-century philosopher Immanuel Kant developed this idea, an extension of Aristotle's golden mean. Kant's test—that you make decisions based on principles that you want to be universally applied—is called the *categorical imperative*. This means you choose an action by asking yourself the question, what would happen if everyone acted this way?

3. Mill's principle of utility: "Seek the greatest happiness for the greatest number." In the 19th century, John Stuart Mill taught that the best decision is one with the biggest overall benefit for the most human beings.

4. Rawls' veil of ignorance: "Justice emerges when negotiating without social differentiations." John Rawls' 20th-century theory supports an egalitarian society that asks everyone to work from a sense of liberty and basic respect for everyone, regardless of social position.

5. Judeo-Christian view of persons as ends in themselves: "Love your neighbor as yourself." Under this longstanding ethic of religious heritage, people should care for one another—friends as well as enemies—equally and without favor. Trust in people and they will trust in you.

None of these five philosophies operates independently. Ethical choices in many situations are not exquisitely simple. What is predictable about ethical dilemmas is their unpredictability. Therefore, media professionals generally adopt a philosophy of situational ethics: Because each circumstance is different, a journalist must decide the best action to take in each situation.

Should the press adopt Rawls' idea of social equality and cover each person equally, or should public officials receive more scrutiny than others because they maintain a public trust? Is it a loving act in the Judeo-Christian tradition to allow bereaved parents privacy to grieve for their child's death by drowning, or is the journalist contributing to society's greater good by warning others about the dangers of leaving a child unattended? Questions like

IMPACT *Society*

Reaction to Uber Tactics Highlights Tech Journalists' Fine Line Between Critic and Booster

By Leslie Kaufman

[On November 17, 2014], BuzzFeed reported that an Uber executive had considered investigating the private life of the tech journalist Sarah Lacy because of her negative coverage of the company. Ms. Lacy responded almost instantaneously—and she was not happy.

In a podcast, Ms. Lacy, the founder and editor in chief of the Silicon Valley news Web site PandoDaily, and Paul Carr, her co-host, called Uber "awful," "evil" and "nasty." They also reserved a portion of their scathing rant for their fellow tech writers, who, they said, had gone too soft on Uber.

To further complicate matters, many of these publications make a significant portion of their revenue from live events and conferences that feature appearances by the big-name tech executives they cover. Some publications also rely on investments from venture capital firms that have stakes in the start-ups they cover.

Ms. Lacy says her challenge in balancing competing interests was no different from that of reporters who cover Washington or Hollywood. "For journalists, there has always been a slippery slope between being an insider and getting really good material and being too close to your sources," she said.

She has been harder on Uber than most of her tech peers have, Ms. Lacy said, which is perhaps why she was specifically named by the Uber executive, Emil Michael.

Bloomberg/Getty Images

After BuzzFeed reported that Uber executive vice president Emil Michael suggested that the Internet ride-sharing company considered investigating the private life of a tech journalist, the company president posted a 13-part apology on Twitter.

The account of Mr. Michael's remarks came from Ben Smith, the editor in chief of BuzzFeed. Mr. Smith spoke to Mr. Michael at a private dinner last Friday [November 14, 2014]. He later reported that Mr. Michael was contemplating spending $1 million to dig up dirt on reporters who, he said, had unfairly criticized the company, mentioning Ms. Lacy in particular.

BuzzFeed reported that Mr. Michael had "expressed outrage" at Ms. Lacy's column and said that "women are far more likely to get assaulted by taxi drivers than Uber drivers." The article added that he had said he thought Ms. Lacy "should be held 'personally responsible' for any woman who followed her lead in deleting Uber and was then sexually assaulted."

Mr. Michael apologized personally to Ms. Lacy by email on [November 18, 2014] after she refused to speak with him off the record on the phone.

Uber declined a request to discuss why Mr. Michael had singled out Ms. Lacy, but her opinionated style of journalism has made her a lightning rod for negative attention throughout her career.

Ms. Lacy said she was not going to stop pressing, saying she believes that Uber needs to be held accountable. She thinks it is particularly significant that Mr. Michael has not been fired.

"It is clear that the board of directors is not going to act," she said. "This is terrifying to me as a woman and a journalist."

Excerpted from Leslie Kaufman, "Reaction to Uber Tactics Highlights Tech Journalists' Fine Line Between Critic and Booster," November 19, 2014, nytimes.com.

these leave the press in a continually bubbling cauldron of ethical quandaries.

Media's Ethical Decisions Carry Consequences

Ethical dilemmas might seem easier to solve with a rulebook nearby, and several professional media organizations have tried to codify ethical judgments to ensure the outcomes in difficult situations.

Codes of ethics can be very general ("Seek truth and report it."—Society of Professional Journalists); some are very specific ("Do not pay sources or subjects or reward them materially or for participation."—National Press Photographers Association); and some are very personal ("Entities should not collect and use financial account numbers, Social Security numbers, pharmaceutical prescriptions, or medical records about a specific individual without consent."—Internet Advertising Bureau).

Some ethical decisions carry legal consequences—for example, when a journalist reports embarrassing facts and invades someone's privacy. First Amendment protections shield the media from government enforcement of specific codes of conduct, except when ethical mistakes also are judged by the courts to be legal mistakes. In most cases, however, a reporter or a news organization that makes an ethical mistake will not face a lawsuit.

Dan Thompson/Cartoonstock.com

The consequences of bad ethical judgments usually involve damage to the reputation of newsmakers and the individual reporter, damage to the reputation of the news organization where the reporter works and ultimately damage to the profession in general.

Professional Associations Proscribe Behavior

Professional codes of ethics set a leadership tone for a profession, an organization, a company or an individual. Several media groups have published rules suggesting how the media should operate.

Ethics codes for print, broadcast and Internet organizations are voluntary, with no specific penalties for people who violate the rules. Many media organizations, such as CBS News, the *Los Angeles Times*, and *The New York Times*, maintain their own detailed standards and employ people specifically to monitor ethical conduct. Media support organizations, such as advertising and public relations agencies, usually use guidelines from professional groups as a basis for developing a company philosophy.

Five widely observed codes of ethics are the guidelines adopted by the Society of Professional Journalists, the Radio Television Digital News Association, the Interactive Advertising Bureau, the National Press Photographers Association and the Public Relations Society of America.

Society of Professional Journalists Codifies Conduct

The Society of Professional Journalists Code of Conduct is the oldest and most comprehensive. Some of the code's major points follow.

Seek Truth and Report It. Journalists should be honest, fair and courageous in gathering, reporting and interpreting information. Journalists should:

- Test the accuracy of information from all sources and exercise care to avoid inadvertent error. Deliberate distortion is never permissible.
- Identify sources whenever feasible. The public is entitled to as much information as possible on sources' reliability.
- Make certain that headlines, news teases and promotional material, photos, video, audio, graphics, sound bites and quotations do not misrepresent. They should not oversimplify or highlight incidents out of context.
- Never distort the content of news photos or video. Image enhancement for technical clarity is always permissible. Label montages and photo illustrations.

- Avoid misleading reenactments or staged news events.
- Never plagiarize.
- Avoid stereotyping by race, gender, age, religion, ethnicity, geography, sexual orientation, disability, physical appearance or social status.
- Distinguish between advocacy and news reporting. Analysis and commentary should be labeled and not misrepresent fact or context.
- Distinguish news from advertising and shun hybrids that blur the lines between the two.
- Recognize a special obligation to ensure that the public's business is conducted in the open and that government records are open to inspection.

Minimize Harm. Ethical journalists treat sources, subjects and colleagues as human beings deserving of respect. Journalists should:

- Show compassion for those who may be affected adversely by news coverage. Use special sensitivity when dealing with children and inexperienced sources or subjects.
- Be sensitive when seeking or using interviews or photographs of those affected by tragedy or grief.
- Recognize that gathering and reporting information may cause harm or discomfort. Pursuit of the news is not a license for arrogance. . . .
- Show good taste. Avoid pandering to lurid curiosity.
- Balance a criminal suspect's fair trial rights with the public's right to be informed.

Act Independently. Journalists should be free of obligation to any interest other than the public's right to know. Journalists should:

- Avoid conflicts of interest, real or perceived.
- Remain free of associations and activities that may compromise integrity or damage credibility.
- Refuse gifts, favors, fees, free travel and special treatment, and shun secondary employment, political involvement, public office and service in community organizations if they compromise journalistic integrity. . . .

Be Accountable. Journalists are accountable to their readers, listeners, viewers and each other. Journalists should:

- Clarify and explain news coverage and invite dialogue with the public over journalistic conduct.
- Encourage the public to voice grievances against the news media.
- Admit mistakes and correct them promptly.
- Expose unethical practices of journalists and the news media.
- Abide by the same high standards to which they hold others.

Radio Television Digital News Association (RTDNA) Code Covers Electronic News

The RTDNA Code of Ethics and Professional Conduct offers general principles for electronic news reporters ("Professional electronic journalists should recognize that their first obligation is to the public"), as well as specific guidelines ("Professional electronic journalists should not manipulate images or sounds in any way that is misleading"). Following are some major points from the RTDNA ethics code.

AP Images

Ethics codes adopted by media organizations are voluntary, with no specific penalties suggested for people who violate the rules. The codes are meant as guidelines only. Attorney Douglas Hallward-Dreimeier speaks with reporters outside the U.S. Supreme Court on April 28, 2015, after arguing before the court that states must recognize same sex marriages performed elsewhere.

PREAMBLE: Professional electronic journalists should operate as trustees of the public, seek the truth, report it fairly and with integrity and independence, and stand accountable for their actions.

PUBLIC TRUST: Professional electronic journalists should recognize that their first obligation is to the public.

TRUTH: Professional electronic journalists should pursue truth aggressively and present the news accurately, in context, and as completely as possible.

FAIRNESS: Professional electronic journalists should present the news fairly and impartially, placing primary value on significance and relevance.

INTEGRITY: Professional electronic journalists should present the news with integrity and decency, avoiding real or perceived conflicts of interest, and respect the dignity and intelligence of the audience as well as the subjects of news.

INDEPENDENCE: Professional electronic journalists should defend the independence of all journalists from those seeking influence or control over news content.

ACCOUNTABILITY: Professional electronic journalists should recognize that they are accountable for their actions to the public, the profession, and themselves.

National Press Photographers Association Addresses Visual Journalism

The National Press Photographers Association is "a professional society that promotes the highest standards in visual journalism, acknowledges concern for every person's need both to be fully informed about public events and to be recognized as a part of the world in which we live."

The association's ethics code lists a series of goals for visual journalists, including the following:

1. Be accurate and comprehensive in the representation of subjects.
2. Resist being manipulated by stated photo opportunities.
3. Be complete and provide context when photographing or recording subjects.
4. Treat all subjects with respect and dignity.
5. While photographing subjects do not intentionally contribute to, alter, or seek to alter or influence events.
6. Editing should maintain the integrity of the photographic images' content and context.
7. Do not pay sources or subjects or reward them materially for information or participation.
8. Do not accept gifts, favors, or compensation from those who might to influence coverage.
9. Do not sabotage the efforts of other journalists.

Interactive Advertising Bureau Addresses Digital Ads

The Interactive Advertising Bureau (IAB) Code of Conduct is the most recent set of media guidelines, first established in 1996 to cover businesses that advertise on the Internet. The guidelines, last updated in 2003, are voluntary and self-regulatory and apply to all members of the IAB.

The IAB says that more than 80 percent of interactive display ads follow IAB standards. Some principles of the IAB Code of Conduct are excerpted here.

I. Education

Entities should participate in efforts to educate individuals and businesses about online behavioral advertising, including the actors in the ecosystem, how data may be collected, and how consumer choice and control may be exercised.

II. Transparency

Third parties and service providers should give clear, meaningful, and prominent notice on their own Web sites that describes their online behavioral advertising data collection and use practices.

III. Consumer Control

A third party should provide consumers with the ability to exercise choice with respect to the collection and use of data for online behavioral advertising purposes or the transfer of such data to a non-affiliate for such purpose.

IV. Data Security

A. Safeguards

Entities should maintain appropriate physical, electronic, and administrative safeguards to protect the data collected and used for online behavioral advertising purposes.

Mark Dubowski/Cartoonstock.com

Unethical advertising uses falsehoods to deceive the public. Ethical advertising uses the truth to deceive the public.

B. Data Retention

Entities should retain data that is collected and used for online behavioral advertising only as long as necessary to fulfill a legitimate business need, or as required by law.

V. Material Changes to Existing Online Behavioral Advertising Policies and Practices

Entities should obtain consent before applying any material change to their online behavioral advertising data collection and use policies and practices prior to such material change.

VI. Sensitive Data

A. Children

Entities should not collect "personal information," as defined in the Children's Online Privacy Protection Act (COPPA), from children they have actual knowledge are under the age of 13 or from sites directed to children under the age of 13 for online behavioral advertising, or engage in online behavioral advertising directed to children they have actual knowledge are under the age of 13 except as compliant with the COPPA.

B. Health and Financial Data

Entities should not collect and use financial account numbers, Social Security numbers, pharmaceutical prescriptions, or medical records about a specific individual for online behavioral advertising without consent.

Public Relations Society of America Sets Standards

The Code of Professional Standards, first adopted in 1950 by the Public Relations Society of America, has been revised several times. Here are some excerpts:

- A member shall deal fairly with clients or employers, past, present, or potential, with fellow practitioners and with the general public.
- A member shall adhere to truth and accuracy and to generally accepted standards of good taste.
- A member shall not intentionally communicate false or misleading information, and is obligated to use care to avoid communication of false or misleading information.
- A member shall be prepared to identify publicly the name of the client or employer on whose behalf any public communication is made.
- A member shall not guarantee the achievement of specified results beyond the member's direct control.

Media Organizations Respond to Criticism

Prescriptive codes of ethics are helpful in describing what media professionals should do, and informal guidelines can supplement professional codes. Many media professionals use good judgment, but what happens when they don't? People with serious complaints against broadcasters sometimes appeal to the Federal Communications Commission, but what about complaints that must be handled more quickly? The press has offered three solutions: news councils, readers' representatives and correction boxes.

News Councils

News councils originated in Great Britain. They are composed of people who formerly worked or currently work in the news business, as well as some laypeople. The council reviews complaints from the public, and when the members determine that a mistake has been made, the council reports its findings to the offending news organization.

In 1973, the Twentieth-Century Fund established a National News Council in the U.S., but the council disbanded in 1984.

Today, only two news councils exist in the United States—the Minnesota News Council and the Honolulu Community Media Council. The Minnesota council is older. Since 1970, the council's 24 members, half of them journalists and half of them public members such as lawyers and teachers, have reviewed complaints about the state's media. Half the complaints have been ruled in favor of the reporters. The council has no enforcement power, only the power of public scrutiny.

Readers' Representatives

The *readers' representative* (also called an ombudsperson or public reporter) is a go-between at a media company who responds to complaints from the public and regularly publishes answers to criticism.

About two dozen newspapers throughout the country, including *The Washington Post, The New York Times,* the *Los Angeles Times* and *The Sacramento Bee*, have tried the idea, but most news organizations still funnel complaints directly to the editor.

Correction Boxes

The *correction box* is a device that often is handled by a readers' representative but also has been adopted by media organizations without a readers' representative. The box is published in the newspaper and on the newspaper's Web site near the corrected story with a note about the correction.

As a permanent fixture of the newspaper, the correction box is used to counter criticism that corrections sometimes receive less attention from readers than the original stories.

The New York Times, for example, regularly publishes a small correction box to fix small errors in its stories. But when *The Times* discovered in 2010 that its reporter Zachery Kouwe had plagiarized stories from *The Wall Street Journal* (see p. 315), *The Times* published a specific explanation as a lengthy Editor's Note, which gave the incident more prominence.

Professional Codes Preserve Media Credibility

Ethics codes, news councils, readers' representatives and correction boxes help media organizations handle criticism and avert possible legal problems, but no single solution can address all the ethical issues these businesses face. In media organizations every day, people face the same ethical decisions all people face in their daily lives—whether to be honest, how to be fair, how to be sensitive and how to be responsible.

The difference is that, unlike personal ethical dilemmas that people can debate privately, reporters and editors publish, broadcast and post the results of their ethical judgments, and those judgments quickly become public.

A profession that accepts ethical behavior as a standard helps guarantee its future. The major commodity the media profession has to offer is information, and when the presentation of that information is weakened by untruth, bias, intrusiveness or irresponsibility, the media gain few advocates and acquire more enemies.

Writes John Hulteng:

> The primary objective of the press and those who work with it is to bring readers, listeners and viewers as honest, accurate and complete an account of the day's events as possible. . . . The need to be informed is so great that the Constitution provides the press with a First Amendment standing that is unique among business enterprises. But as with most grants of power, there is an accompanying responsibility, not constitutionally mandated but nonetheless well understood: that the power of the press must be used responsibly and compassionately.

REVIEW, ANALYZE, INVESTIGATE

CHAPTER 15

Ethics Define Responsibilities

- The word *ethics* derives from the Greek word *ethos*, which means the guiding spirit or traditions that govern a culture.
- When journalists make the wrong ethical choices, the consequences are very public.
- Journalists' ethical dilemmas can be discussed using four categories: truthfulness, fairness, privacy and responsibility.

Truthfulness Affects Credibility

- Truthfulness means more than telling the truth to get a story. Truthfulness also means not misrepresenting the people or the situations in the story for readers or viewers.
- In 2015, NBC anchor Brian Williams and Fox News personality Bill O'Reilly embellished stories they reported, examples of fabrication.
- In July 2012, *New Yorker* writer Jonah Lehrer resigned after it was discovered that he fabricated quotes for his book, *Imagine: How Creativity Works*.
- In 2014, BuzzFeed dismissed writer Benny Johnson after identifying 41 examples of plagiarism.
- In 2010, *The New York Times* suspended reporter Zachery Kouwe after editors said Kouwe had plagiarized portions of an article he had written for *The Times* from an article by another reporter that had appeared online in *The Wall Street Journal*. Kouwe resigned.
- For two decades British reporter Mazher Mahmood wrote stories about the wrongdoings of many famous people and then testified against them in court. In 2014, the Crown Prosecution Service announced an investigation of Mahmood's role in at least 25 criminal convictions.
- A classic example of a journalistic misrepresentation is Jayson Blair, a reporter for *The New York Times*, who admitted in May 2003 that he had fabricated comments, concocted scenes, stolen material from other newspapers and news services and selected details from photos to create an impression he had been in certain places and interviewed people when he hadn't.

Fairness Means Evenhandedness

- Fairness implies impartiality—that the journalist has nothing personal to gain from a report and that there are no hidden benefits to the reporter or to the source from the story being presented.
- Criticism of the press for unfairness results from insider friendships, conflicts of interest and checkbook journalism.
- In May 2015, ABC chief anchor George Stephanopoulos acknowledged he had donated $75,000 to the Clinton Foundation and did not publicly disclose the donation, an example of insider friendships.
- In more examples of insider friendships, MSNBC commentators Keith Olbermann and Joe Scarborough were suspended in 2010 for two days after it was discovered that they had made campaign contributions to political candidates.
- In 2015, PBS postponed broadcast of the program *Finding Your Roots* after PBS learned producers had omitted information about Ben Affleck's slave-owning ancestor, at Affleck's request.
- In another example of insider friendship, in 2010, the *New Hampshire Union Leader* accepted underwriting from three major New Hampshire businesses including BAE Systems, a defense contractor, so the newspaper's publisher and a staff photographer could travel to Afghanistan to report on a New Hampshire National Guard unit serving there.
- In 2009, *The Washington Post* lost credibility when its publisher invited sponsorships in exchange for attendance at an exclusive "salon" at her home. *The Post* eventually canceled the event and printed an apology.
- In 2012, Alliance, the film company that represented actor Brad Pitt, requested £2,000 (approximately $3,000) from journalists who wanted to interview Pitt at the Cannes Film Festival, an example of checkbook journalism.
- In another example of checkbook journalism, in 2011 ABC News paid kidnapping victim Jaycee Lee Dugard for exclusive rights to an interview.

Privacy Involves Respect

- Privacy for personal communications such as e-mails and voice mails became a big issue in 2011 when reporters at Rupert Murdoch's *News of the World* hacked celebrity e-mails and voice mails.

- In November 2012, prosecutors charged two former top executives at *News of the World*, Rebekah Brooks and Andy Coulson, with paying bribes of up to $160,000 to public officials, in addition to several earlier charges levied against them.
- Brooks was acquitted but Coulson was convicted and required to pay up to £750,000 in court costs.
- An important invasion-of-privacy issue is the publication of names of rape victims.
- Reporters must decide whether the public interest is served by revealing victims' names.
- In 1990, the *Des Moines Register* published a five-part series about rape victim Nancy Ziegenmayer, with her consent.
- In 2015, *New York* magazine reignited the controversy about identifying rape victims when the magazine's cover showed photos of 35 women, with their permission, who alleged that entertainer Bill Cosby sexually assaulted them. He denied the charges.

Responsibility Generates Trust

- Responsibility means that reporters and editors must be careful about how they use the information they gather.
- In 2014, the Web size BuzzFeed reported that Uber senior vice president Emil Michael said the company had considered investigating the private life of Sarah Lacy, a technology reporter who had written critically about the company. Uber's CEO eventually apologized.

Five Philosophical Principles Govern Media Ethics

- Five philosophical principles underlying the practical application of ethical decisions are (1) Aristotle's golden mean, (2) Immanuel Kant's categorical imperative, (3) John Stuart Mill's principle of utility, (4) John Rawls' veil of ignorance and (5) the Judeo-Christian view of persons as ends in themselves.
- Journalists adopt a philosophy of situational ethics.

Media's Ethical Decisions Carry Consequences

- Some ethical decisions carry legal consequences, such as when a journalist reports embarrassing facts and invades someone's privacy.
- In most cases, a reporter or a news organization that makes an ethical mistake will not face a lawsuit.

Professional Associations Proscribe Behavior

- Several media professions have adopted ethics codes to guide their conduct.
- Five of these ethics codes are the guidelines adopted by the Society of Professional Journalists, the Radio Television Digital News Association, the National Press Photographers Association, the Interactive Advertising Bureau and the Public Relations Society of America.

Media Organizations Respond to Criticism

- The three responses of the U.S. press to criticism have been to create news councils, to employ readers' representatives and to publish correction boxes in the printed newspaper and online.
- The National Press Council, created to hear consumer complaints about the press, disbanded in 1984.
- Today only two news councils still exist in the United States—the Minnesota News Council and the Honolulu Community Media Council.

Professional Codes Preserve Media Credibility

- The media's ethical decisions can broadly affect society.
- The major commodity the American press has to offer is credibility, and when the presentation of information is weakened by untruth, bias, intrusiveness or irresponsibility, the press gains few advocates and acquires more enemies.

Key Terms

These terms are defined in the margins throughout this chapter and appear in alphabetical order with definitions in the Glossary, which begins on page 361.

Checkbook Journalism ***320***
Ethics ***312***
Fabrication ***313***
Misrepresentation ***315***
Plagiarism ***314***
Professional Ethics ***312***

Critical Questions

1. When you read about high-profile media ethics cases like the ones in this chapter, what should you remember about the possibility that what you read, hear or see in the mass media may not be true, or at least not what you understand it to be? How does this affect the way you obtain or critically analyze print, broadcast and Internet information?
2. List and explain three ways that checkbook journalism may affect the quality of reporting.
3. Choose any of the ethical situations specified in this chapter and describe how each of the following philosophical principles would define your decision.
   a. Aristotle's golden mean
   b. Kant's categorical imperative
   c. Mill's principle of utility
   d. Rawls' veil of ignorance
   e. Judeo-Christian persons-as-ends
4. Explain the consequences of plagiarism, fabrication and misrepresentation on reporters, the companies they work for and the public.
5. What effect do you believe ethics codes, such as those described in this chapter, have on the professionals for whom they have been developed? Do they work? Explain.

Working the Web

This list includes sites mentioned in the chapter and others to give you greater insight into media ethics.

Center for Journalism Ethics
ethics.journalism.wisc.edu

Established in 2008 at the School of Journalism and Mass Communication at the University of Wisconsin, the center applies an interdisciplinary approach to studying the issues of best media practices. Resources on the site include hyperlinks to topics such as Ethics in a Nutshell, Holding Media Accountable and Digital and Global Media Ethics.

College Media Association (CMA)
collegemedia.org

Originally founded in 1954 as the National Council of College Publications Advisors, the College Media Association is headquartered in Nashville, Tenn. at Vanderbilt University. Through social media and the listserv on the CMA Web site, members can discuss, study and learn more about current issues trending at college print and digital publications throughout the U.S. The association also publishes the *College Media Review*, an academic journal on advising college media.

Columbia Journalism Review (CJR)
cjr.org

The main emphasis of the flagship publication from the Columbia University Graduate School of Journalism is "to encourage and stimulate excellence in journalism in the service of a free society." The *Review* is published six times a year. The Web site promises fresh media analysis and criticism as well as interactive features about the performance and problems of the press, including *CJRDaily.org*, which hosts daily discussions on current trends and issues affecting all forms of media throughout the world. The discussions include Who Owns What (a regularly updated listing of media ownership worldwide), Magazines and Their Web Sites, and a Guide to Online News Startups.

EthicNet, European Ethics Codes
ethicnet.uta.fi/

This databank primarily holds links to English translations of journalism codes of ethics from most European countries (maintained by the Department of Journalism and Mass Communication, University of Tampere, Finland) as well as some countries outside Europe. Links are available on the site to two other media code databases—Media Accountability Systems and MediaWise Trust.

Fairness & Accuracy in Reporting (FAIR)
fair.org

An anticensorship and media watchdog group, FAIR advocates "greater diversity in the press by scrutinizing media practices that marginalize public interest, minority and dissenting viewpoints." FAIR's main premise is that the media relies on the economics of profit rather than its originally intended purpose to be an institution that helps maintain free and open societies throughout the world. Resources on the site include links to "Extra!"—a newsletter of media criticism—and "CounterSpin"—a weekly radio program that reports "the news behind the headlines."

Freedom Forum

newseuminstitute.org/freedom-forum/

This nonpartisan foundation based in Washington, D.C., is dedicated to promoting the five freedoms contained in the First Amendment of the U.S. Constitution—freedom of speech, press, religion, and assembly and freedom to petition the government. The Freedom Forum provides the majority of funding for the Newseum, an interactive museum of news in Washington, D.C.; the First Amendment Center, which features current news and commentary; and the Diversity Institute, based at the John Seigenthaler Center at Vanderbilt University in Nashville, Tenn. Resources on the site include links to a library of books and periodicals on the First Amendment that can be downloaded and a listing of online and in-person courses available through the Freedom Center.

Journalism Ethics Cases Online

journalism.indiana.edu/resources/ethics/

Hosted by the School of Journalism at Indiana University, this set of cases was created to help teachers, researchers, professional journalists and news consumers explore ethical issues in journalism. The issues include sensitive news topics, such as covering politics, invading privacy and aiding law enforcement.

National Press Photographers Association (NPPA)

nppa.org

Tracing its origins to the days of "sheet film box cameras and newsreels," the NPPA is the professional trade association for those who work in the visual media, including news photographers, videographers and multimedia journalists. NPPA lobbies Congress and state and local governments as well as filing friend of the court briefs in legal cases affecting the practices and regulation of all aspects of visual media. The association hosts several competitions each year for photojournalists, videographers and NPPA student members. Resources include a digital news archive, a listing for professional visual journalists and access to the online version of *News Photographer Magazine*, published by the NPPA.

Poynter Online

poynter.org

This Web site of the St. Petersburg, Florida-based Poynter Institute, a learning center for journalists, future journalists and journalism teachers, features news and tips for students about reporting and writing, ethics and diversity and journalism education. The training section includes information on seminars and webinars, career coaching and Poynter publications. Users can connect with an online community based on various journalism topics.

Radio Television Digital News Association (RTDNA; formerly Radio-Television News Directors Association)

rtdna.org

RTDNA is the U.S. professional organization that serves the digital news profession. Its membership consists of news directors, associates, educators and students. The association's educational foundation, RTDNF, was created to help members uphold ethical journalism standards in the newsroom. Ethics information—including the association's Code of Ethics and Professional Conduct, details on the Journalism Ethics Project and coverage guidelines—is available in the Web site's Best Practices section.

Society of Professional Journalists (SPJ)

spj.org

Originally established in 1909 on the DePauw University campus in Greendale, Ind., under the Greek fraternal name Sigma Delta Chi, SPJ is the nation's most broad-based journalism organization. SPJ is dedicated to "encouraging the free practice of journalism and stimulating high standards of ethical behavior." Features include freedom of information; ethics (including the SPJ Code of Ethics); *Rainbow Diversity Sourcebook*, *Journalists Toolbox*, SPJ blogs and current issues of the association's online magazine, *Quill*.

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GLOBAL MEDIA
COMMUNICATING CHANGE

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TOMAS MUNITA/The New York Times

Mobile media are a central factor in the global expansion of mass media. A giant billboard in Riyadh, Saudi Arabia, shows King Salman on a giant mobile phone.