The Routledge Handbook of Mass Media Ethics

Second Edition

Edited by Lee Wilkins and Clifford G. Christians

THE ROUTLEDGE HANDBOOK
OF MASS MEDIA ETHICS

This fully updated second edition of the popular handbook provides an exploration of thinking on media ethics, bringing together the intellectual history of global mass media ethics over the past 40 years, summarizing existing research and setting future agenda grounded in philosophy and social science.

This second edition offers up-to-date and comprehensive coverage of media ethics, including the ethics of sources, social media, the roots of law in ethics, and documentary film. The wide range of contributors include scholars and former professionals who worked as journalists, public relations professionals, and advertising practitioners. They lay out both a good grounding from which to begin more in-depth and individualized explorations, and extensive bibliographies for each chapter to aid that process.

For students and professionals who seek to understand and do the best work possible, this book will provide both insight and direction. Standing apart in its comprehensive coverage, *The Routledge Handbook of Mass Media Ethics* is required reading for scholars, graduate students, and researchers in media, mass communication, journalism, ethics, and related areas.

Lee Wilkins is Professor Emerita at the Missouri School of Journalism and Wayne State University.

Clifford G. Christians is Research Professor of Communications, Professor of Media Studies and Professor of Journalism Emeritus at the University of Illinois.

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Clifford G. Christians

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PART III: CONCRETE ISSUES

CONTRIBUTORS

David S. Allen
University of Wisconsin-Milwaukee
Milwaukee, Wisconsin

Sherry Pack Baker
Emerita
Brigham Young University
Provo, Utah

Jay Black
Emeritus
University of South Florida
St. Petersburg, Florida

Sandra L. Borden
Western Michigan University
Kalamazoo, Michigan

Peggy Bowers
Independent Scholar
Boston, Massachusetts

Michael Bugeja
Iowa State University
Ames, Iowa

Kristie Bunton
Texas Christian University
Fort Worth, Texas

Michael X. Delli Carpini
University of Pennsylvania
Philadelphia, Pennsylvania

Clifford G. Christians
Emeritus
University of Illinois
Urbana, Illinois

Renita Coleman
University of Texas
Austin, Texas

Thomas W. Cooper
Emerson College
Boston, Massachusetts

Stephanie Craft
University of Illinois
Urbana, Illinois

David A. Craig
University of Oklahoma
Norman, Oklahoma

Deni Elliott
University of South Florida
St. Petersburg, Florida

Mark Fackler
Emeritus
Calvin University
Grand Rapids, Michigan

John P. Ferré
University of Louisville
Louisville, Kentucky

Robert S. Fortner
Research Scholar
University of Illinois
Urbana, Illinois

Theodore L. Glasser
Emeritus
Stanford University
Stanford, California

Kevin Healey
University of New Hampshire
Durham, New Hampshire

Kyle Heim
Shippensburg University
Shippensburg, Pennsylvania

Seow Ting Lee
University of Colorado
Boulder, Colorado

Matthew P. McAllister
Pennsylvania State University
University Park, Pennsylvania

Julianne H. Newton
University of Oregon
Eugene, Oregon

Chad Painter
University of Dayton
Dayton, Ohio

Philip Patterson
Oklahoma Christian University
Oklahoma City, Oklahoma

Patrick Lee Plaisance
Pennsylvania State University
University Park, Pennsylvania

Jennifer M. Proffitt
Florida State University
Tallahassee, Florida

Shakuntala Rao
State University of New York
Plattsburgh, New York

Haydar Badawi Sadig
Independent Scholar
haydarbadawi@gmail.com

Linda Steiner
University of Maryland
College Park, Maryland

S. Holly Stocking
Emerita
Indiana University
Bloomington, Indiana

Angharad N. Valdivia
University of Illinois
Urbana, Illinois

Salvador R. Victor
Bethune-Cookman University
Daytona Beach, Florida

Stephen J. A. Ward
University of British Columbia
Vancouver, British Columbia

Morgan N. Weiland
Stanford University
Stanford, California

Ginny Whitehouse
Eastern Kentucky University
Richmond, Kentucky

Lee Wilkins
Emerita
Wayne State University

Detroit, Michigan
University of Missouri
Columbia, Missouri

Bruce A. Williams
University of Virginia
Charlottesville, Virginia

Wayne Woodward
Emeritus
University of Michigan-Dearborn
Dearborn, Michigan

Wendy Wyatt
University of St. Thomas
St. Paul, Minnesota

Jiang Zhan
Beijing Foreign Studies University
Beijing, PRC

INTRODUCTION

Lee Wilkins and Clifford G. Christians

The second edition of this handbook is designed to fulfill three purposes.

First, the volume is intended to chart the progress in thinking about media ethics. What began as a largely professional quest to improve professional journalistic performance is now able, in a modest way, to contribute to that effort as well as academic efforts to further the insights of moral philosophy. The editors and authors contend that mediated communication is essential to democratic functioning at the institutional level and to flourishing communities and individuals at other levels. Along the way, media ethics allows scholars to ask big questions: is technology morally neutral, is dialogue the best way to capture a world-wide conversation, are the understandings of classical ethical philosophy the best lens through which to make ethically based decisions involving entities as disparate as corporations, nation states, communities, and individuals? Readers will not find complete answers to any of these questions in this book; what they will discover is the state of intellectual progress that foregrounds ethical thinking in examining questions where mediated communication plays a central role.

Second, the volume's authors attempt to set a research agenda for the field. Further, this agenda is grounded in both philosophy and in some of the social sciences. We believe this blend is unique and important. The facts of social science can inform ethical decision making; they cannot replace the central role of philosophy in that process. The chapters in this book model the effort to allow these often two separate areas of academic work to inform one another. The research questions posed here have both range and vision; the answers to them have the capacity to inform contemporary philosophical understandings as well as to change professional performance. This second edition emphasizes three trends in the study of media ethics and it will be of special importance in advancing research in these areas: international and comparative, the technological revolution in the media, and deepening of theory.

Third, the editors hope that students and citizens with some curiosity about particular issues will find individual chapters in this book a good place to start. Each chapter includes a section that summarizes current understandings and research in the field. In this way, each chapter has an encyclopedic feel. Readers curious about what scholars believe they know will find in this book a good grounding with which to begin more in-depth and individualized explorations. The extensive bibliographies for each chapter will aid that process. The editors hope that reading one chapter will lead to explorations in others.

Now to a preview of what is between these covers.

Part I: Foundations, sets out to define the boundaries of the intellectual work that follows. It begins with a discussion of the nature of the communicating human being, from biological organism to tool-using community member. Based on the philosophers Hans Jonas and Emmanuel

Levinas, Wayne Woodward's chapter reviews the way philosophers have analyzed the nature of the human animal and its vast symbolic capacity. It is through symbols that people build community, understand and confuse one another, live out their morality, and form political and social networks. Next, John Ferré examines the history of the intellectual field of mass media ethics. This history, linked as it is to democratic functioning, has come to dominate much thinking around the world. Ferré traces four periods of intellectual inquiry, concluding with a search for universal ethical principles that has meaning for professionals regardless of geographic circumstance. Next, ethicist Deni Elliott argues that relativism impoverishes both professional performance and intellectual critique. Elliott's work demonstrates that journalists the world over share a set of essential professional values. The obligations based on these values, although they are evolving thanks to the internet, represent duties held in common with the journalists of previous centuries. That commonality of journalistic ethical thinking is explored by Renita Coleman and Lee Wilkins. Their work begins with the insights of the first chapter of this book—that part of being human is the capacity to think ethically. They then explore the influences on that thinking and link it to the moral decision making of journalists and public relations professionals. Ted Glasser and Morgan Weiland elaborate on these important issues in journalism practice and moral thinking in terms of media ethics and media law. The divide between these two domains has limited their contributions to the relationship between press freedom and accountability. Consistent with the theoretical emphasis of Part I, Glasser and Weiland develop a conceptual foundation in discourse theory that unifies ethics and law.

Thomas Cooper and Clifford Christians add to the foundations of media ethics by outlining the need and rationale for universal ethical principles to guide professional performance and scholarship in this global era. In the process, they link those principles to the complicated world of intercultural activity, and demonstrate why understanding the moral dimension of symbolic activity is the key to philosophy as well as to media use and production. One important way to advance credible universals is to construct principles from non-Western perspectives. Shakuntala Rao explains how this strategy works. She develops a theory of justice from the Hindu and Vedic philosophical traditions and applies it to today's democratic journalism. Comparing this model of the news media based on justice with David Craig's chapter in the next section on justice as a journalism value demonstrates the benefits of theory from the Global South.

Part II focuses on issues of media practice that cross many professional boundaries, such as advertising compared to news, plus many intellectual ones, such as applied philosophy, linguistics, psychology, and politics. Collectively, these chapters outline the gestalt contemporary professionals inhabit and focus on the range of issues they navigate. Stephen Ward begins the section with a chapter on truth and objectivity, tracing their history and how these central norms have been attacked and discredited. The primary criticism of truth and objectivity today are explained, as the background for reconstructing journalism ethics from the ground up. Julie Newton asks many of the same basic questions raised by Ward, applying them to the visual nature of truth and how truth in visual form relates to the work of photojournalists, and to readers and viewers and internet users. The discussion of the nature of truth continues in the chapter by Ginny Whitehouse who describes what the concepts of diversity, of sociotyping and of stereotyping, have to do with the way mediated messages in news and entertainment are produced and understood. She concludes that newsrooms must be restructured for genuine change to occur. Together this trio of authors clearly articulates the complex nature of truth, one that is philosophically informed but which also is central to professional performance.

Next, this second section of the volume moves to two separable but related concepts—advocacy, specifically its role in public relations, and propaganda. Authors Sherry Baker and Jay Black develop integrative tools, informed by the fields of philosophy and linguistics, to

enable professionals to measure their own performance. Baker is especially concerned with the connection between public relations professionals and the larger society they serve through client-centered work. Black pays particular attention to the role of the public, and of individuals, in the persistence of propaganda, particularly the sort produced by democratic governments. Two international chapters develop the advocacy-propaganda question in detail. Salvador R. Victor's chapter reviews Latin American advertising, and the efficacy of self-regulation in meeting ethical standards among the various countries of Latin America with diverse governments and policies. His research indicates that in working out their own standards, Latin American advertisers reflect the universal moral values of human dignity and social responsibility. Jiang Zhan reviews the media in China since Deng Xiaoping's reforms in 1978, especially as they develop their own definition beyond their traditional role as agents of state propaganda. While several moral problems are particular to the Chinese media, Zhan contends that they share the major ethical issues with the news media globally.

With the focus of the volume now moving concretely into the public sphere, the next two chapters tackle two thorny contemporary questions: pornography and violence. Wendy Wyatt and Kristie Bunton demonstrate how two polarized perspectives have influenced both the law and production of mediated messages considered to be pornographic by some segments of society, but not by others. Their ethical critique avoids the strident anti-pornography and anti-censorship positions and presents an alternative approach that deals with both research on harm and with the pornography industry's abuses of power. Patrick Plaisance also focuses on the ethics of harm in his discussion of violence. This chapter is noteworthy for the commonalities it finds between news and entertainment, adding to the analysis moral psychology factors that influence our claims about harmful effects. His ethical perspective is based on evaluations of consequentialist and deontological theories. Both of these chapters pay serious attention to the larger cultural systems in which these mediated messages flourish.

Bruce Williams and Michael Delli Carpini also examine the role of mass media institutions in the political system. Eschewing previously established boundaries—in fact, insisting as does Deni Elliott in the foundations section that journalism is entering a new paradigm—they develop four philosophically based criteria for enabling citizens to evaluate political communication. The authors demonstrate that in today's new media regime, non-traditional platforms—for example, *The Daily Show* and internet blogs—contribute as much as professional journalism to civic engagement.

In the concluding two chapters of the section Angharad Valdivia and Chad Painter enrich our understanding of the news media from a cultural studies perspective. Valdivia demonstrates why the fungible nature of art and entertainment marketed worldwide by corporate conglomerates demands a universal ethical standard. Her chapter explores how evaluating art and entertainment through the lens of the protonorm of humanness contradicts neoliberalism and can help both the producers and consumers of this symbolic media content better understand its importance for public life. Chad Painter makes a similar argument that popular culture requires a broad-based ethics to guide its relationship to political power, in the creation of artistic meaning on social issues, and for the way artists treat their subjects. Painter considers social responsibility theory the most adequate ethical framework for entertainment programming, and for understanding the intersections of humor and news, and journalism and cinema.

Part III turns to concrete issues, and just as in the previous section, the first three chapters are intellectual first cousins and hence have much to say to one another. Opening this section is David Craig's chapter on justice as a journalistic value embedded in investigative reporting, and sometimes an element in a definition of news as well as playing an occasional role in news coverage. He reviews what media scholars have said about the importance of justice in public affairs,

and points to new avenues of research on justice as a critique of journalism and also its value and goal. How such ethical imperatives work, and whether journalists and news organizations should be transparent about them, is the focus of Kyle Heim and Stephanie Craft's contribution. Heim and Craft note that transparency should not be considered a "fix" for the ailing credibility of the traditional news media; its conflicting definitions complicate its impact and require further research especially on the concepts of availability and disclosure. In his analysis of social media platforms in their various forms, Kevin Healey includes transparency among the important issues the news media confront at present, along with privacy, anonymity, and democratic participation. Rather than centering on personal conduct, Healy develops a social media ethics that critiques the legal frameworks and organizational structures and techno-centric ideologies that constitute today's digital networking sites.

All three of these opening chapters deal with the new media technologies, the focus of Michael Bugeja's essay. He centers on digital technologies as autonomous networks, with big data homogenized by machinic algorithms, thereby creating a fundamental problem for human-based ethical principles. With an analysis energized by Jacques Ellul's philosophy of technology, Bugeja concludes that only a media ethics of duty can meet the challenge of amoral autonomous systems. Chapters on peace journalism and privacy conclude this segment of the volume. While they are indeed concrete issues, Seow Ting Lee's exploration of five peace journalism studies demonstrates that, in a world of conflict, peace journalism also has an international toehold. Lee recognizes that peace journalism requires advocacy and interpretation, and therefore is a moral imperative. She integrates both theory and research to defend peace journalism as a moral construct. Privacy, too, has an international scope, as Wilkins and Patterson demonstrate in their frequent references to global technology, comparisons of privacy in democracies worldwide, and privacy as the natural right in most of the world. In order to understand privacy with that breadth and depth, they develop a feminist epistemology that triangulates legal theory, moral philosophy, and technology.

Similar to the Wilkins and Patterson contribution to the concrete issue of privacy, the volume concludes with institutional considerations in media ethics broadly understood. Two international perspectives open this Part IV: Haydar Sadig's chapter on Islamic ethics and S. Holly Stocking's chapter on Buddhist ethics. Sadig focuses on the question of whether Islamic ethics is universalizable. He calls for a transformation in Muslim thinking so that it can contribute to media ethics in democracies worldwide. Stocking first defines the central principles of Buddhist ethics: "intend no harm" and "intend to be of benefit." She then demonstrates how they may be applied to mass media practice and scholarship. Stocking concludes that Buddhist ethics supports a journalism of compassion which diminishes suffering and emphasizes happiness.

The Buddhist approach opens the door to aspirations of "doing well by doing good," a theme that Mark Fackler's chapter on communitarianism also emphasizes. Communitarianism may be more familiar than Islam and Buddhism to contemporary students and scholars and professionals, but Fackler's review suggests that, in these difficult times, communitarianism, too, faces obstacles in application. Its shift from individuals-as-moral-agents to accountability-in-relationships requires ongoing struggles from media professionals to define community and to understand themselves within it. Community is an issue in Linda Steiner's chapter also, as she explains feminism's commitment to human interaction and caring relationships as ontologically fundamental. Based on feminist epistemology and normative concerns, Steiner describes how the contextuality of feminist ethics can help resolve dilemmas that emerge in media research, news and entertainment content, and the workplace. David Allen presents a new way of thinking about the long-standing and complicated institutional issue in democratic societies, freedom of expression. His intellectual history and legal overview demonstrate that public space has been understood as

independent of citizens. Digital technologies are revolutionary in that citizens actively construct their socio-political context, requiring a spatial ethics for expressive freedom.

This segment of the volume then turns to Matt McAllister and Jenn Proffitt's analysis of structure: specifically the impact of large media ownership on media content, and why corporate ownership matters in terms of the philosophical constructs of personal autonomy and democracy. They develop ethical strategies that deal with the relationship between individuals, business culture, and the democratic political system. Next, Robert Fortner reflects the international thrust of this section's opening chapters and develops it to the maximum. He analyzes the various ways the news media interact with the existence of evil in the world, presenting the theoretical perspectives and also specific illustrations from Myanmar to the Nazi regime. His chapter echoes the work on propaganda by Jay Black earlier in the volume and provides multiple examples of how the producers of news and entertainment have been corrupted for despicable ends. Journalism as a profession, and the ethical issues it shares with other professions, is the focus of Sandra Borden and Peggy Bowers' contribution. Doctors, city administrators, engineers, teachers, and newscasters share similar critical concerns as professionals, and Borden and Bowers demonstrate how the issues of epistemology and identity in professionalism result in difficult ethical tensions. This final chapter speaks to a form of comparative research that clarifies the content of media ethics.

Taken in its totality, the book provides an introduction to both the depth and the breadth of current thinking on media ethics. At a time in the academy when applied ethics is attempting to regain a more equal footing with meta-ethics as it is traditionally taught, media ethics has much to contribute to the larger discussion. For students and for professionals who seek to understand their work, and to do the best work of which they are capable, this book will provide both insight and direction. And for scholars whose life's work is adding, however incrementally, to the base of knowledge on which we all stand, this volume has suggestions aplenty. The editors hope that you learn as much from reading it as we have from editing it.

Enjoy.

I
FOUNDATIONS

1

A Philosophically Based Inquiry into the Nature of Communicating Humans

Wayne Woodward

Conducting "A Philosophically Based Inquiry into the Nature of Communicating Humans" is foundational to developing a comprehensive "philosophy of life" (Levy, 2002, p. 44) that would encompass "the logic of [the] emergent … from its origins in the simplest most primitive forms of organic being to its culmination in the unprecedentedly complex forms of human existence." Informational and communicative functions and practices are observable in all living entities and systems and require directed attention from communication ethics scholars, arguably more now than ever, as human historicity and natural history proceed into a twenty-first century that has been quick to display global crises arising at the nexus of society and nature. The associated practical and ethical challenges reach into the most profound concerns about life and death, existence and non-being, survival and annihilation. Ethics, as responsibility to and for the "other" – human and natural, as well as artifactual from the perspective of a number of contemporary philosophies – emerges as the "first philosophy" Emmanuel Levinas envisioned. Levinas and fellow philosopher Hans Jonas are principal inspirational and substantive sources for the central ideas presented in response to this topic. Both may require preliminary introduction, since these thinkers are not widely regarded as founding visionaries for contemporary communication and media studies, though they should be.

Jonas' wide-ranging philosophical writings during the course of seven decades sought to comprehend the integrated interplay of natural and human processes and practices, ranging from basic metabolism and motility of simple organisms to the human exercise of moral imagination in its most complex manifestations. This depth and breadth of philosophical concern brought Jonas specifically and centrally to the theme of modern technology, considering how its ever-increasing powers put at issue "the integrity of our organic being … the integrity (or proper 'good') of anything …" (Jonas, 1974, p. xvii). What Jonas strove towards ultimately was articulation of "a substantive link between the theory of the organism and the ethics of technological intervention." The part played by communication in shaping natural as well as human history has not been adequately examined, and Jonas' philosophy provides a point of origination for this effort.

The nature of communicating humans comes distinctively into view for Jonas at a threshold of ethnological development where the qualities of interaction between and among beings transcends functional, adaptive, biological behaviors to advance in a direction that opens time and space *extensively* (into contact with and exposure to social and cultural multiplicities) while also

penetrating *intensively* (into the depths of personal experience). Extensive powers are celebrated in our era for advances in technically-supported connectivity, thereby enhancing the potential for ever more widespread dissemination of information and increased reach for telecommunications. But extensivity becomes a cause for ethical concern as persons acquiesce to complex technological systems providing for design control to be exerted across vast stretches of space while encompassing the widest spectrum of human activities, bio-energetic circumstances, and physical ecology. Increasingly precise surveillance of designed environments can take place in so-called "real time" when extensive capabilities combine with increased intensity in directing audiences' and consumers' attention and interest, especially through collection and use of personal data. Moreover, intensive impacts of communication in the contemporary era are linked with the technological capacity to simulate human experience and participation. For example, contemporary media content and mediated spectacles exhibit highly refined verisimilitude and quality of felt presence. Thus, technological systems now compete with phenomenological consciousness and experience as these have been traditionally conceived.

Jonas criticized both the extensive and intensive dimensions of expanded, modern technological powers by concentrating attention on the threats leading towards violent destruction of social life and catastrophic neglect and abuse of the natural world. His way of addressing the situation was to call for heightened commitments to the qualities of human intimacy and mutual-personal relation, with the parent-to-child relation of care as the normative standard. Specifically, Jonas held that the specter of annihilation should summon a mature acceptance of responsibility that characterizes the intentional, reflexive consciousness of the adult, the loving parent in particular. This reflexive intentionality should inspire moral resolve to care for those beings and entities that are ontologically within the human sphere of responsible duty.

Consideration of the perspective provided by Jonas leads ultimately, in this chapter, to the ideas of Emmanuel Levinas as the basis of a complementary position that provides communicative detail about the ontological "face" of mutual-personal responsibility. Human being declares its nature through responsiveness to an originary "pure communication" (Levinas, 1987, p. 119), which transcends saying or doing, or acts of production, but rather instigates an intimate event of "exposure" (Levinas, 1981, p. 49) to an "other". The exemplary form is an experienced "proximity" (p. 81ff.) to a living "face" (Levinas, 1969, p. 81) that "shows itself simultaneously in its poverty and height" (Colledge, 2002, p. 179). A "command" to act with responsibility to and for the other is imposed through proximity as awareness of an infinite obligation to the other, a responsibility that arrives "as though from an immemorial past, … a time before the beginning" (Levinas, 1981, p. 88).

Ethics is described by Levinas as passivity, obsession, hunger, absence, restlessness, undoing, weight, density, and trauma; it is communicative undergoing rather than communicative doing (see Dewey, 1958, p. 46 ff.). The distinctively human "competence" that can be distilled from these attributes becomes the communicative capacity to experience – i.e., to be impressed by – the significance and inherent dignity associated with (a) the other as person – self-constituting and indeterminable – and (b) the self-other encounter as the paradoxical basis of a common life in and through communication, but one that is only made possible by and through the authority that emanates from the other, since it is a capacity born from the condition of the ethical being as held "hostage" by the other.

Jonas and Levinas sought pathways towards ethical reorientation in a modern world in which nihilism had penetrated pervasively into the foundations of human meaning-making; it now shadows the constant, near-frenzied pursuit of satisfaction, which provides for postmodern societies only a semblance of human flourishing in the form of expanded connectivity to a global storehouse of techno-commercial values, which are the facade of nihilism's ethical void (Wolff, 2011, p. 128).

The argument now returns to Jonas' writings (Jonas, 1966, 1974, 1984, 1996) for the framework that initiates this philosophical inquiry into the nature of humans communicating, an undertaking that requires interrelating natural processes with cultural practices. Jonas draws on several foundational premises to guide the study of practices, activities, and actions of humans communicating.

The first is that interdependencies between inward experience (that is, consciousness, including the psychological dimensions of meaning-making) and outward experience (that is, the externalization of consciousness in the form of material productions and observable behaviors) need to be taken into account in comprehending how humans exercise meaning-making capacities. This integration of extensive and intensive perspectives provides specificity to Jonas' positioning of human communication within the larger philosophical project he pursues, which is to "restore life's psychophysical unity to its place in the theoretical totality, lost on account of the divorce of the mental and the material since the time of Descartes" (Jonas, 1996, p. 59).

Consider, by way of illustration of Jonas' point, how "symbolic forms" (Thompson, 1995, p. 18) – that is, extensively circulating, diverse formats and genres of communication – both constitute and express human sensibilities, as the domain of human inwardness; moreover, communicative forms develop interdependently with the "*technical medium*" or "material substratum" employed in particular instances of communication. Significant attributes associated with technical media include the ability to provide for durable "fixation" (p. 19) of content; ease of reproduction (p. 20); and "*space-time distanciation*" (p. 21), that is, the spatial/temporal "detachment of a symbolic form from its context of production."

In line with these capacities, changes in technical media become interlinked with the development of particular formats and concentrations of content while providing resources for "the exercise of different forms of power" (p. 19). Thus, social roles and the attainment of status and authority should be considered historically as significantly a matter of how information and knowledge are produced, collected, stored, augmented, transformed, and retrieved (see Carey, 1989, p. 23), along with how content is transmitted and exchanged through institutional practices.

One observes, for example, how the earliest forms of writing developed by Sumerians and ancient Egyptians were put to economic uses, such as supporting property ownership and facilitating trade (Thompson, 1995, p. 19); today, these interests are carried forward into a globalizing, digital age, as high-powered computers allow for vast flows of financial information while diminishing the historically-perceived "tyranny of geography" (Gillespie and Robins, 1989, p. 7) and turning transactional time into nanoseconds. In such a communicative milieu, functional identities (see Couch, 1990, pp. 29–30) associated with economic and technical roles often take priority over "primal identity, the primordial mode of identification" (Levinas, 1969, p. 36). Dramatic transformations take place within broader patterns of continuities; and these patterns are constituted through communication as "a symbolic process whereby reality is produced, maintained, repaired, and transformed" (Carey, 1989, p. 23).

Jonas' second premise is that this demand to integrate analysis of the inner and outer, and the semantic and the material, can be best met by elaborating how a "philosophy of life comprises the philosophy of organism and the philosophy of mind" (Jonas, 1974, p. xvii). Humans, along with other life forms, must derive ways to thrive as organisms in their environments; yet, our species is distinguished by the particular capabilities of mind that inform the human response to this fundamental challenge. Since communication is a way of extending mind (see Carey, 1969, p. 273), understanding the role of communication becomes central to a philosophical understanding of life. Furthermore, as Jonas (1966) notes, "a philosophy of mind comprises ethics – and through the continuity of mind with organism and organism with nature, ethics becomes part of the philosophy of nature" (p. 282).

This trajectory of thought allows for distinctive dimensions of human experience, notably symbolic meaning-making and ethical directedness in actions and relations, to be considered as part of an integrative picture of human life. From this vantage point, one can address in a unified manner the widest spectrum of contributing factors in human activity – "metabolism, moving and desiring, sensing and perceiving, imagining and thinking" (Vogel, 1996, p. 10). Basic modes of organismic contact with the environment, as well as advanced socio-cultural and technological ways of impressing individual and collective intentions and projects on shared worlds of experience, should be seen as comparable orders of complexity and meaningfulness; these derive from a primeval, natural drama that becomes historically conditioned within "an ascending scale in which are placed the sophistications of form, the lure of sense and the spur of desire, the command of limb and powers to act, the reflection of consciousness and the reach for truth" (Jonas, 1966, p. 2). Communication is, arguably, the key element within repertoires of instinctual, programmable, and creative functions and faculties that undergird this pageant.

Third, special consideration should be directed towards technological practices, since these have come to be regarded, in modern and postmodern societies especially, as humankind's "most significant enterprise, in whose permanent, self-transcending advance to ever greater things the vocation of man tends to be seen, and whose success of maximal control over things and himself appears as the consummation of his destiny" (Jonas, 1984, p. 9).

Technological augmentation of communication has been a constitutive feature of social interaction in nearly all societies and in so-called advanced societies in particular (see Couch, 1990, 1996). Jonas contends that the modern results of this general path of development should be critically examined, with particular attention to ethical implications. To encompass social life in its entirety and unity requires comprehension of the technological dimensions of meaning-making. The "technologizing of the word" (Ong, 2002) merits special attention as the transformations from oral culture, to manuscripts, print, and electronic-digital communications play out in the psyches and the social relations that characterize different eras and societies.

To summarize this set of points derived from Jonas: (1) Communication should be addressed as human consciousness in vital action, including attention to the material, or physical-artifactual (see Woodward, 1996) contexts for action. (2) Consciousness and action, with their basis in "the state of being affected and spontaneity" (Jonas, 1996, p. 69), need to be approached with an analytical lens focused on the continuity of human life with other life forms. These range from the simplest organisms, to complex hybrid systems that combine human agency with cybernetic programming. (3) Particular emphasis should be placed on the role of technology as a set of developments that conditions the direction and destiny – for better or worse – that humans embrace through consciousness and set out to realize through communicative action.

These commitments lead to a substantive concept of nature focused on the "omnipresence of life" (Jonas, 1966, p. 8) of which humans and human communication form a part. Nature is "continuity of life forms" (p. 59 ff.), a phrase that serves as a "logical complement to the scientific genealogy of life" (p. 63); and the continuity of life forms is significantly a matter of their capacities for organization of information, ultimately of meaning.

> [I]nformation flow, not energy per se, is the prime mover of life … molecular information flowing in circles brings forth the organization we call "organism" and maintains it against the ever-present disorganizing pressures in the physics universe. So viewed, the information circle becomes the unit of life.
> (Loewenstein, 1999, pp. xv–xvi)

Human communicators have played an obvious, distinctive role within this genealogy of life. Persons develop and exercise unique "potencies" (Buber, 1965a, p. 163) for "knowledge, love,

art, and faith." Institutionalized practices result from the exercise of these potencies, as collectivities construct modes of education, norms for family life and community, artistic traditions, and religions. These institutional forms emerge within specific, historically- and culturally-situated contexts. Social roles and identities, along with the person's most basic sense of self, undergo transformations as social actors respond – individually and in collectivities, in conformity with and in opposition to institutional conventions – by shaping perceptions, consciousness, agency, and interactions into "forms of relation" (Jonas, 1966, p. 4). These relations constitute the basis for human, personal identity and provide templates for social cooperation, competition, and conflict.

From this foundational position, Jonas went on to investigate a wide variety of concerns relevant to communication studies: How the "irritability" (Jonas, 1966, p. 99) of the simple cell might be usefully considered as the "germ" of "having a world," which then develops through the experiences of human consciousness into a "world relationship"; the interventions into human purposefulness and behavior of "servomechanisms" (p. 109), such as target-seeking torpedoes, electronic computers, telephone exchanges," and how these may call for reexamination of theories of the human, society, and the nature of the good, the *summum bonum*; investigations of the philosophical dimensions of public policy debates including critical-interpretive, ethical, and phenomenological inquiries into biomedical practices, genetic engineering, euthanasia.

Stepping back again from the appreciation and skepticism Jonas alternately expressed for the evolved quality of human capabilities, in order to continue concentrating for a moment more on their organic foundations, one observes with all live entities and systems that "life is essentially relationship; and relation as such implies 'transcendence,' a going-beyond-itself on the part of that which enters the relation" (Jonas, 1966, pp. 4–5). Such "going beyond" entails a degree of freedom that operates even deep within the genealogical substratum of life, in "the dark stirrings of primeval organic substance" (p. 3), since "metabolism, the basic level of all organic existence … is itself the first form of freedom … [one that] … shines forth … within the vast necessity of the physical universe." When living entities develop beyond "mere dynamism" (Jonas, 1996, p. 70) to become "selective and 'informed'" in their metabolic directedness, a natural "prototype" of "inner identity" has appeared. For all life forms, "being open to what is outside, becomes the subject-pole of a communication with things which is more intimate than that between merely physical units." The movement is from causal patterns of determination and control to forms of agency and responsibility that herald a human capacity to develop towards intellectual and moral freedom.

Jonas shares his insistence on the continuity of life with other phenomenological philosophers who have emphasized "the interrelationship of matter, life, and consciousness" (Cooper, 1991, p. 15). The common premise is that life involves participation; in the case of humans, the processes entail "consciousness transcending itself into the lived body, into the community, history and the divine ground of being" (p. 15). But all life processes, "even the 'simplicities' of metabolism," involve a degree of distinctiveness to be achieved by the life form in question, a particularity that can be considered as "the measure of its independence from its own material contents." This "differentiation of the modes of participation, from inanimate material to animate nature, to the specific modes of human existence" (p. 14), is inherently communicative: The preservation of distinctive forms occurs as activity patterns are traced through time and etched across space, within one or another common medium for behavior or experience that constitutes an organismic environment or a human world. Thus, communication is adaptive in its origins, creative in its human expressions, and complexly combines programmable logic with active agency in its more intricate technological manifestations.

Attending briefly to the case of plant life, one observes that inner need extends towards outer resources through limited relations grounded in physical contiguity and immediacy of exchange.

The defining characteristic of a plant's existence is "openness for encountering external reality" (Jonas, 1996, p. 69), based on the condition that "living form must have matter at its disposal, which it finds outside itself in the alien 'world'" (p. 68). Plant life exhibits "outward *exposure*" (p. 69) and "the state of being affected," along with a limited, teleologically driven "spontaneity" and the beginnings of "outward *reach*." Communication takes the limited form here of material exchange.

Animal life operates with an expanded repertoire of organic potencies, achieving a further "horizon of freedom" (Jonas, 1996, p. 67). The mobile animal, guided by often highly proficient, instinctually-directed senses of sight, sound, smell, taste, and touch, manifests more dynamic relations within space and time. Concerning "*space*, as the dimension of dependence" (p. 71), the animal's capacity for more active control allows its spatial environment to be "progressively transformed into a dimension of freedom, specifically by the parallel development of the following two abilities: to move about and to perceive at a distance." Similarly, "*time* … is opened up by the parallel development of a third ability, namely emotion … ". The animal's capabilities to extend the imperatives of instinctual need across physical space and to preserve the stirrings of need through "temporal distance" or duration, make the communication of a still-nascent, inner identity with external objects and living things a more actively motivated process than with plant life.

Two "distinguishing characteristics" (Carey, 1989, p. 27) of symbolic action, even in its rudimentary forms, are "displacement and productivity." The first reconfigures action from a situation of required, physical co-presence with its stimulus, to a situation in which the stimulating factor can be "indicated" through some form of representation (see Millikan, 2004, p. 17); the second characteristic allows for multiple representations to accompany an action and for these to play a role in constituting the situation as well as symbolizing it. One might be inclined to consider these as traits solely of human communication, but current research suggests that many animals also employ a "'functional semantics'" (Oller and Griebel, 2004, p. 5), involving a "primitive representational form wherein both 'what is the case'" – that is, symbolic, or representational displacement of an environmental circumstance – "and 'what to do about it'" – that is, productivity in the form of instructions about how to act in the case in question – "are transmitted simultaneously." Communicative processes "can be used either to reflect states of affairs or to produce them" (Millikan, 2004, p. 17); thus, they face in two directions at once.

> Does the dance of the honeybee tell where the nectar is, or does it tell worker bees where to go? Clearly, it does both. … Similarly, alarm calls of the various species do not just represent present danger but are also signs directing conspecifics to run or to take cover.

Approaching the domain of human potencies, one observes (a) how an ever-emergent, increasingly complex "self" not only *exists* in a situation of dependence or interdependence with other entities, a feature shared even with plant life; and (b) how the ability of the self to *act* on this situation involves expanded levels of flexibility beyond those of animals; additionally, (c) the human self advances towards a continuously redefined quality of ontological, active, and expressive freedom, constructed in circumstances of mutual-personal *relation* (see Kirkpatrick, 1986; Macmurray, 1991).

The common element – manifested as a trait in the case of plants and animals, as a vital faculty within human existence – can be usefully thought of as "impressibility" (see Woodward, 2000, p. 355). In forms of life that are basically reactive in their responses to environment, impressibility consists of metabolic processes and instinctually-guided behaviors. In humans, impressibility becomes the basis for enactment, the ability of agents to impress their meanings, values, and projects on the world through communication. Impressibility, as communication, is both receptive and productive: Agents are simultaneously responding to the world, while also acting in relation to the world.

The distinctively human form of transactional response and initiative is "*situated creativity*" (Joas, 1996, p. 142), wherein human innovativeness transforms "unreflected routine" into "acts of creativity." Based on the premise that "[a]ll action is embedded in anthropological structures of communication," this view asserts that "creativity is more than merely one of the necessities for the survival of an organism." It is, in human life, "the liberation of the capacity for new actions" (p. 133). John Dewey (1958) famously summarized the indissoluble linkages at play. "Experience is the result, the sign, and the reward of that interaction of organism and environment which, when it is carried to the full, is a transformation of interaction into participation and communication" (p. 22). In short, "[c]ommunication is the process of creating participation, of making common what had been isolated and singular … " (p. 244). Being is always and inevitably co-being (Holquist, 2002, p. 25); and for human communicators, being as co-being develops as both a conscious, reflective theme of living and as a source of desires and bodily repertoires that impress unconscious demands on action and experience.

Human communication marks a distinctive threshold of ontological advance in the development of impressibility as perception, knowledge, action, and relation. Simple and complex forms of "inter-personal and inter-group coordination" (Garnham, 2000, p. 3) derive from innate, communicative capacities connected with the "human species'" (p. 2) large brain and the organic requirements for sociality imposed by this endowment.

> This brain has enabled it [the human species] to develop culture … patterns of behaviour which are not merely instinctual, but are endowed with meanings which can be transmitted through space and time beyond the immediate stimulus/response site of action, and a learning process the lessons of which are cumulative and open to criticism and modification in the light of experience.
>
> (p. 2)

As humans develop, their coordination of environmentally relevant activities occurs in, and reciprocally gives continuous rise to, historically situated configurations of "what we might call institutions as well as structures" (Garnham, 2000, p. 23). Human life has then achieved a level at which "a life informed by convention is natural for human beings in much the way that perception, nutrition, growth, and reproduction are natural" (Wallace, 1978, p. 34). The "potencies" that Buber identified find their appropriate expression in institutions that both fund and result from human inventiveness and creativity. On this basis, persons can make legitimate normative claims to have access to, to participate in, and to make their own "impress" on, social, cultural, political, and economic life as it develops through institutional activities.

Human communicators, as social beings, are active inventors of meaning, situated in environmental fields (see Bourdieu, 1985) that are also human worlds (Schutz, 1967). Worldly, environmental fields can also be considered as "active" in the sense that they condition human activities. "Human expressivity is capable of objectification, that is, it manifests itself in products of human activity that are available both to their producers and to other men as elements of a common world" (Berger and Luckmann, 1966, p. 34). The patterning of environmental elements follows spatial and temporal logics that can tend to become self-organizing – "autopoietic" (Luhmann, 1989, p. 143) – and these environmental logics enter into the acts of communicators and the shaping of communications. In the process, a "duality of structure" (Giddens, 1979, p. 5) is seen to operate, enabling and constraining human action; this duality also applies to human institutions in their historical role of expanding the boundaries of human accomplishment and aspiration while resetting limits on these boundaries.

Of particular interest for understanding communication are stabilities and changes in "the kinds of spaces created by media, and the effects that existing spatial arrangements have on media forms as they materialize in everyday life" (Couldry and McCarthy, 2004, p. 2). Technological invention allows for dramatic expansion of the human capability to extend motivations

and meanings across space and to preserve them through time. Technological augmentation of human experience intensifies a committed sense not only of what *does* and *can* occur within a life situation, but what also *must* occur in order for personal identity to express its felt dynamism, and ultimately to achieve an increasingly sought-after sense of creative inspiration and expression that emerges as an ideal (see Taylor, 1985, p. 22). Thus, technological power and expressivity, as fundamental dimensions of vital action, raise moral and ethical questions for the human, social actor.

Sophocles' *Antigone* (see Jonas, 1974, p. 4) conveys dramatically how the technological expansion of human powers can heighten questions concerning their appropriate use. Sophocles' *Chorus* tells how man "crosses the sea in the winter's storm"; "ensnares … the races of all the wild beasts and the salty brood of the sea"; constructs "shelter against the cold, refuge from rain"; and teaches himself speech and thought and educates his feelings in ways required to build and dwell within what is, arguably, the supreme human artifact, the city. The *Chorus* concludes,

> Clever beyond all dreams
> the inventive craft that he has
> which may drive him one time or another to well or ill
> when he honors the laws of the land and the gods' sworn right
> high indeed is his city; but stateless the man
> who dares to do what is shameful.

<div align="right">(lines 335–370)</div>

These commanding lines convey how inventiveness extends human responsibility across multiple levels of worldly experience – natural (physical environment), ontological (fellow humans and one's own self), and artifactual (human creations, including symbolic and technological worlds).

The technologizing of communication has meant that the natural environment, as a medium of expression (see Douglas, 1973), progressively gave way to emergence of an artificial, constructed, environment. Constructed environmental elements – technological and cultural artifacts as resources for social action – came to displace unconstructed, natural, elements (see Couch, 1990, p. 11), and the constructed, human environment – experienced phenomenologically as "world" (see Merleau-Ponty, 1962; Schutz, 1967) – started to progress through stages of structural and institutional development. Today, the world's peoples observe and act and feel within a time/space in which technologies, the built environment, the artificial resources and accouterments of post-industrial busyness predominate over natural elements.

With the emergence of "extended availability" (Thompson, 1995, p. 30) of human communications, "[i]nformation and symbolic content are made available to more individuals across larger expanses of space and at greater speeds." Collective life becomes freed, or unmoored, from locale and from shared presence at a point in time. The monuments, memorials, and rituals of our era tend to seek us out, as coveted viewers/consumers of screens and monitors, rather than requiring what was historically the reverse, that we, as pilgrims, should trek across space as a labor of holy devotion to the authority of a time-honored shrine or commemoration. A historically momentous example of how these relations emerged is the appearance of "a *reading public*" (p. 126). This development reflected novel communicative circumstances, since this

> was a "*public without a place*" and it was defined, not by the existence or possibility of face-to-face interaction among its members, but rather by the fact that its members had access to the kind of publicness made possible by the printed word.

<div align="right">(pp. 126–127)</div>

Ongoing technological developments have comparable impacts on the conditions and consequences of interaction and communicative exchange. As contemporary communications now extend across vast geographical space, they are also technologically "sequenced" (see Couch, 1990, pp. 29, ff.) effectively and efficiently within micro-units of programmable time. But whatever technological and social achievements can be ascribed to this contemporary moment in the centuries-long "communications revolution," one should not overlook that everyday communication is still enacted from the foundational situation "wherein people align their actions with one another as they confront and are confronted by an environment" (Couch, 1996, p. 2). These environments may increasingly take the form of hyper-real landscapes that invite viewers and players-participants into imagined worlds within the depth of computer screens, but the challenge to subsist environmentally remains basic and compelling.

In aligning their actions while also addressing environmental challenges and opportunities, human social actors engage in *purposive-rational message-sending* directed towards control, on one hand, and in *communicative action* directed towards reaching understanding, on the other (see Habermas, 1984/1987). Concerning the latter motive, communicative partners attempting to exercise cooperative agency, must "harmonize their plans of action on the basis of common situation definitions" (Habermas, 1984/1987, p. 286). This begins with the exercise of communicators' abilities to "distinguish situations in which they are causally exerting an influence *upon* others from those in which they are coming to an understanding *with* them." In the latter instance, communication proceeds in the direction of dialogue.

Contrastingly, "instrumental" (Habermas, 1984/1987, p. 285), or "strategic" message-sending, as a predominant focus, occurs in the context of "following technical rules of action" or "rules of rational choice." The standard of judgment is success or efficiency, either of an "intervention into a complex of circumstances and events," or an attempt at "influencing the decisions of a rational opponent." Reflexivity then takes on a different character, since the achievement of objective outcomes based on an optimal deployment of means is intended. Communication – or, more precisely, information exchange – then becomes an element in control procedures, and the logic of control inclines towards input-output logics that can be programmed into operational sequences. This occurs through standardized procedures and routines – that is, as techniques or as part of "the physical structure of a purposive mechanism" (Beniger, 1986, p. 40) – that is, as programmed technologies, per se, such as computers that guide, and even dictate, decision-making on a stock exchange.

These modes of contact, and exchange – the communicative and the instrumental, or strategic (Habermas, 1984/1987, p. 285) – both play a part, and often compete with each other, in determining the character of our ways of living and working, particularly in "knowledge societies" (Mansell and Wehn, 1998), where informational and communicative activities become intricately tied up with creating, utilizing, and communicating knowledge. In socio-cultural contexts in which technological mastery is over-valued as basis for communication – as Jonas and other critics of modern technology suggest it is in modern and postmodern societies – an established set of ideological attitudes and practical assumptions takes precedence: Information exchange in the interests of achieving strategic goals prevails over relation-building. An alternative, dialogical position begins with the norm of communicative coorientation, and the potential mutuality of social interests this implies, and then attempts to recapture instrumentality as a subordinate, supporting principle, thus, "bringing instrumental rationality under the control of communicative rationality" (Dryzek, 1995, p. 114).

A philosophically supportable, dialogical (see Anderson, Baxter, and Cissna, 2004; Nikula, 2006) vision of communication has yet to be realized in empirically-observable instances. Accordingly, normative formulations such as Habermas' theory of communicative action are

appropriately criticized for relying on counterfactual ideals, and failing to specify how "democratic discourse and human agency can combine to change the social structure in more desirable directions" (Tehranian, 1999, p. 90). Also, the notion of an "ideal speech situation" (see Benhabib, 1992), based on dialogue has most often predicated a "generalized other" (see Haas, 2001, p. 427) as the partner in dialogue, thus avoiding the many perplexities associated with conducting dialogue with a historically and culturally specifiable "concrete other" in his or her many manifestations. Any generalized, philosophical conception that sets out from a supposedly stable, theoretical positioning of "self" and "other" will tend to formalize what are actually specific, socio-historical contexts in which situated social actors enter into communicative relations and pragmatic projects. Such generalizations about dialogue also tend towards a theoretical privileging of interpersonal communication at a time when communications are increasingly founded on "time-space distanciation" (Giddens, 1981, pp. 4–5; Thompson, 1995, pp. 21–23), a communicative situation in which spheres of influence and environments for action begin "stretching away, in time and space, beyond the control of any individual actors" (Giddens, 1984, p. 25). Notwithstanding these limitations, the theory of communicative action, as an exemplar of emergent dialogic approaches to communication, provides an important precedent for conceptualizing the differences and interconnections between (a) communications directed towards reaching understanding, and (b) forms of informational, purposive-rational message-sending aimed at mastering practical situations. The ability to combine these modes of communication is central to present and future prospects for equitable communication and the egalitarian social visions such communication might support. One must be careful not to over-estimate the capacity of communicative advances to support social well-being, nor to devalue the essential role communication plays in the coordination of human affairs.

The work of Emmanuel Levinas provides the basis of a third position from those that would valorize mainly *system* or *action*, a stance that makes *relation* a central, normative value. From a relational standpoint, human communication is not determined by system requirements, nor is it unconstrained in its capacity to embody human intentions in the form of actions. Rather, communication is ethically oriented by relational "proximity" (Levinas, 1981, p. 81 ff.) when the human face of the "other" "shows itself simultaneously in its poverty and height" (Colledge, 2002, p. 179). Communicative partners in face-to-face proximity, encounter in the "other" these dual aspects of humanity – the "height" of the commanding presence, and the "destitution" of the vulnerable sufferer (Levinas, 1969, p. 197 ff). The tension between these aspects of human face and its authority to impress can guide thinking about the more general prospects for communication as a basis for ethical life.

Levinas detects a commandment in the appearance of the face, as if a "master" spoke to me. However, at the same time, the face of the other is destitute; it is the poor for whom I can do all and to whom I owe all (Levinas, 1985, p. 89). The call to responsibility in proximity to this doubled face introduces the "proto-norm" (Christians, 1997) of providing response, that is, an ontological call to become "*response-able*" (Booth, 1988, p. 126; see also, Woodward, 2000). "And me, whoever I may be, but as a 'first person,' I am he who finds the resources to respond to the call" (Levinas, 1985, p. 89). Fundamental to this understanding is that the "I" who provides the response from a mature store of resources is also, from another vantage point, a "me" who occupies a position of destitution, one whose face pleads for an ethical response from the corresponding other.

This notion of communicative responsibility can be tracked through six related levels of response-giving. The first three represent technical responses rather than ethical imperatives. These are (1) *control*, (2) *instruction*, and (3) *discussion*; and they are based, respectively, on

(i) I-it relations of causation/force, (ii) I-it relations of output/programming, and (iii) I-you relations of knowledge exchange/persuasion (see Krippendorff, 1996). Examples are how the candy machine delivers up the selected treat; the thermostat regulates the temperature of the room; and the professional, technical expert delivers the service as the knowledge conveyed in the contract specifies. Three additional forms of ethical, dialogic relations can be distinguished as (4) ethics of *care*, based on the ideal of authentic being, for example, the spousal or parent-child or sibling relations; (5) ethics of *responsibility*, based on ethical community, for example, the assembly of colleagues, the religious fellowship, the literary "conversation" among authors, artists, philosophers, and other truth-seekers; and (6) ethics of "*addressability*" (Ediger, 1994), based on intercultural or multicultural community, for example, the prophetic partnership between the activist and those she engages in a spirit and vision of solidarity. In line with the arguments developed in this essay, I propose an ethics of *impressibility* for communication as appropriate to the challenges and opportunities of an emergent, global, participatory pluri-culture (Ihde, 1993, p. 56).

A communicative ethics of *impressibility* highlights how humans act, interact, and shape their practical and moral identities by receiving impressions from, and making impressions on their "triadic" (Woodward, 1996) fields of experience. The triadic field of human communication/participation is (a) material (physical-artifactual), (b) symbolic, (socio-cultural), and (c) relational (mutual-personal). An ethics of impressibility would make possible an understanding of the multiple levels at which moral agents provide responses to others and, at the same time, enact relations to the shared environments in which communicative action unfolds. Accordingly, responsibility should be seen in terms of how the agent is qualitatively, morally *impressed* by the call of the other, as it is communicated within the three dimensions of the field of experience – that is, the other as nature and humanly-created artifacts; the other as language and cultural creations; the other as communicative partners in mutual-personal relation. At the same time, the moral agent *impresses* a response on, or within, the triadic field of experience, affecting the world of things, other selves, and the languages of interpersonal contact.

An ethics of impressibility helps to elaborate Buber's (1965a) "four potencies" (p. 163) of the human agent, namely, "knowledge, love, art, and faith." This final attribute of faith extends the tripled context of triadic theory – physical, cultural, and human relational – into a "four-fold field of relations" (Buber, 1965b). This perspective would predicate impressibility occurring in two directions – productive and receptive – and at four levels, including the self, others, and things, but also the mystery of being.

The concern to call into play Buber's four potencies returns the discussion to themes Jonas (1984) places at the heart of ethical consideration: (1) knowledge of the facts – a "scientific futurology" (p. x) – concerning the fate of nature, technological consequence, and the sustainable limits of human power; (2) love for the intimate other, including the "metaphysical other" (Levinas, 1969, p. 38), as envisioned in the possible "being" of a human future; (3) the art required to transform destructive artifice into responsible social productivity; and (4) the faith to restore balance by expanding the reach of ontology to include recognition of what has not yet appeared. This final sphere of experience is what Levinas (1981) describes as beyond being, or "otherwise than being." Levinas' ethics of proximity connects with Jonas' imperative of responsibility by fostering the ethical potency of faith: through faith, persons impress, and are impressed by, human responsibility to what does not yet appear as presence. Through communication as impressibility, persons acknowledge responsibility for the consequential ways in which we impress human projects – practical and ethical – on the triadic worlds of our experience and participation.

REFERENCES

Anderson, R., Baxter, L., and Cissna, K. (2004). *Dialogue*. Thousand Oaks, CA: Sage.

Benhabib, S. (1992). *Situating the self*. New York: Routledge.

Beniger, J. (1986). *The control revolution*. Cambridge, MA: Harvard University Press.

Berger, P., and Luckmann, T. (1966). *The social construction of reality*. Garden City, NY: Doubleday.

Booth, W. (1988). *The company we keep*. Berkeley, CA: University of California Press.

Bourdieu, P. (1985). The genesis of the concepts of "habitus" and "field". *Sociocriticism*, 2(2), 11–24.

Buber, M. (1965a). *The knowledge of man*. New York: Harper Torchbooks.

Buber, M. (1965b). *Between man and man*. New York. Macmillan.

Carey, J. W. (1969). Harold Adams Innis and Marhall McLuhan. In R. Rosenthal (Ed.), *McLuhan: Pro and con* (pp. 270–308). Baltimore, MD: Penguin.

Carey, J. W. (1989). *Communication as culture*. Boston, MA: Unwin Hyman.

Christians, C. (1997). The ethics of being. In C. Christians & M. Traber (Eds.), *Communication ethics and universal values* (pp. 3–23). Thousand Oaks, CA: Sage.

Colledge, R. (2002). Ernest Becker and Emmanuel Levinas: Surprising convergences. In D. Liechty (Ed.), *Death and denial: Interdisciplinary perspectives on the legacy of Ernest Becker* (pp. 175–184). Westport, CT: Praeger.

Cooper, B. (1991). *Action into nature*. Notre Dame, IN: University of Notre Dame Press.

Couch, C. (1990). *Constructing civilizations*. Greenwich, CT: JAI.

Couch, C. (1996). *Information technologies and social order*. New York: Aldine de Gruyter.

Couldry, N., and McCarthy, A. (2004). *Mediaspace*. New York: Routledge.

Dewey, J. (1958). *Art as experience*. New York: Capricorn.

Douglas, M. (1973). *Natural symbols*. New York: Pantheon.

Dryzek, J. (1995). Critical theory as a research program. In S. White (Ed.), *The Cambridge companion to Habermas* (pp. 97–119). Cambridge: Cambridge University Press.

Ediger, J. (1994). The ethics of addressability in Emmanuel Levinas. Presented at Third National Conference on Ethics, Gull Lake, MI, May.

Garnham, N. (2000). *Emancipation, media and modernity*. Oxford: Oxford University Press.

Giddens, A. (1979). *Central problems in social theory*. Berkeley, CA: University of California Press.

Giddens, A. (1981). *A contemporary critique of historical materialism*. Berkeley, CA: University of California Press.

Giddens, A. (1984). *The constitution of society*. Berkeley, CA: University of California Press.

Gillespie, R., and Robins, K. (1989). Geographical inequalities: The spatial bias of the new communications technologies. *Journal of Communication*, 39(3), 7–18.

Haas, T. (2001). Public relations between universality and particularity. In R. Heath (Ed.), *Handbook of public relations* (pp. 423–433). Thousand Oaks, CA: Sage.

Habermas, J. (1984/1987). *The theory of communicative action. Volumes 1 and 2*. Boston, MA: Beacon Press.

Holquist, M. (2002). *Dialogism* (2nd ed.). New York: Routledge.

Ihde, D. (1993). *Postphenomenology*. Evanston, IL: Northwestern University Press.

Joas, H. (1996). *The creativity of action*. Chicago, IL: University of Chicago Press.

Jonas, H. (1966). *The phenomenon of life*. Chicago, IL: University of Chicago Press.

Jonas, H. (1974). *Philosophical essays*. Chicago, IL: University of Chicago Press.

Jonas, H. (1984). *The imperative of responsibility*. Chicago, IL: University of Chicago Press.

Jonas, H. (1996). *Mortality and morality*. Evanston, IL: Northwestern University Press.

Kirkpatrick, F. (1986). *Community*. Washington, DC: Georgetown University Press.

Krippendorff, K. (1996). A second-order cybernetics of otherness. *Systems Research*, 13(3), 311–328.

Levinas, E. (1969). *Totality and infinity*. Pittsburgh, PA: Duquesne University Press.

Levinas, E. (1981). *Otherwise than being*. The Hague: Martinus Nijhoff.

Levinas, E. (1985). *Ethics and infinity: Conversations with Philippe Nemo*. Pittsburgh, PA. Duquesne University Press.

Levinas, E. (1987). Language and proximity. In *Collected philosophical papers* (pp. 109–126). Pittsburgh, PA: Duquesne University Press.

Levy, D. (2002). *Hans Jonas: The integrity of thinking*. Columbia, MO: University of Missouri Press.

Loewenstein, W. (1999). *The touchstone of life*. New York: Oxford University Press.

Luhmann, N. (1989). *Ecological communication*. Chicago, IL: University of Chicago Press.

Macmurray, J. (1991). *Persons in relation*. Atlantic Highlands, NJ: Humanities.

Mansell, R., and Wehn, U. (1998). *Knowledge societies*. New York: Oxford University Press.

Merleau-Ponty, M. (1962). *Phenomenology of perception*. London: Routledge & Kegan Paul.

Millikan, R. (2004). On reading signs: Some differences between us and the others. In D. K. Oller & U. Griebel (Eds.), *Evolution of communication systems* (pp. 15–30). Cambridge, MA: MIT Press.

Nikula, D. (2006). *On dialogue*. Lanham, MD: Lexington.

Oller, D. K., and Griebel, U. (2004). Theoretical and methodological tools for comparison and evolutionary modeling of communication systems. In D. K. Oller & U. Griebel (Eds.), *Evolution of communication systems* (pp. 3–11). Cambridge, MA: MIT Press.

Ong, W. (2002). *Orality and literacy: The technologizing of the word* (2nd ed.). New York: Routledge.

Schutz, A. (1967). *The phenomenology of the social world*. Evanston, IL: Northwestern University Press.

Taylor, C. (1985). *Human agency and language. Philosophical papers. Volume 1*. Cambridge: Cambridge University Press.

Tehranian, M. (1999). *Global communication and world politics*. London: Lynne Rienner.

Thompson, J. (1995). *The media and modernity*. Stanford, CA: Stanford University Press.

Vogel, L. (1996). Hans Jonas' Exodus: From German existentialism to post-holocaust theology. In L. Vogel & H. Jonas (Eds.), *Mortality and morality* (pp. 1–40). Evanston, IL: Northwestern University Press.

Wallace, J. (1978). *Virtues and vices*. Ithaca, NY: Cornell University Press.

Wolff, E. (2011). Responsibility and technics in Levinas and Jonas. *Philosophy Today*, 55(2), 127–143.

Woodward, W. (1996). Triadic communication as transactional-participation. *Critical Studies in Mass Communication*, 13(2), 155–174.

Woodward, W. (2000). Design/communication as mutual-personal creative action. *Cultural Studies: A Research Annual*, 5, 337–362.

2

A Short History of Media Ethics in the United States

John P. Ferré

Few treatments of media ethics are historical, and what history they do include tends to be anecdotal and not to stretch further back than a generation. This paucity is sometimes due to the urgency in media ethics. There are so many pressing issues to cover and so little time to examine them—one ethics course in college, perhaps, or part of a reporting course, a professional seminar, maybe one book. The stakes are large and there are so many pitfalls that taking time to consider the history of media ethics can seem like an academic indulgence. There is also a sense of outrage in media ethics. Information that the public needs is hidden or corrupted; reputations that have taken a lifetime to build are destroyed with a few keystrokes. Much that falls under the rubric of media ethics is written in the white heat of the moment. Media ethics seems to call for passion and incisiveness, not history.

Nevertheless, an accurate understanding of the moral dimensions of media requires history. By showing the challenges that others have faced, the responses that others have considered, and the choices that others have made, history can help media ethics to evaluate possible actions and policies. A history of media ethics can provide a comprehensive view of moral victories and defeats and the circumstances that led to them. As elaborated in this "Short History of Media Ethics in the United States," like cross-cultural studies, history provides comparisons with other situations that can illuminate our own.

How American media behave has been a concern since 1638 when the first printing press arrived in the colonies. The press carried with it both promise and threat. Its primary purpose was religious enlightenment and edification for colonists as well as Native Americans—in just 25 years the Bible was available not only in English but also in the native Algonquin language—but the press also facilitated legal and business transactions, supported education, and provided colonists with news from Europe and other colonies. Because it could generate discussion and settle disputes, the colonists understood the press to be an agent of truth, both in the narrow sense of factuality and in the wider sense of ultimate and eternal reality.

The colonists also understood that circulating misstatements of fact and faith could cause religious doubt, moral waywardness, and political dissent, so they kept careful watch over the press. In 1689, the governor of Massachusetts complained that "many papers have beene lately printed and dispersed tending to the disturbance of the peace and subversion of the government" (Williams, 2005, p. 24). And a year later, the first colonial newspaper, *Publick Occurrences, Both*

Forreign and Domestick, was shut down after one issue because its report that Indian allies of the British had abused French prisoners was considered seditious and its report that the king of France had seduced his daughter-in-law was considered vulgar. Few printing presses were in the colonies by 1690, but already disagreements had emerged over their relationship with religious and political authorities and over standards of decorum and privacy. How much latitude the media should have has been the subject of media criticism, and by implication media ethics, ever since.

Moral practices and standards evolved through the eighteenth and nineteenth centuries as journalism very slowly took on the characteristics of a profession. As Hazel Dicken-Garcia (1989) explains, until the 1830s the American press operated according to a political model. This era was one of political experimentation, when the party system was taking shape. Oriented to political parties and elites, the press during this era was idea-centered. Critics of the press focused on issues of impartiality, questioning whether equal treatment of opposing parties was desirable.

After the introduction of the penny press and the telegraph in the middle years of the century, the press shifted to an information model, becoming event-centered and oriented more to ordinary individuals than to elites and political parties. The United States experienced advances in transportation and manufacturing as well as commercial and political reforms in its cities. Critics became concerned with the press's watchdog function and what the public had a right to know; they worried that newspaper space was a scarce resource too often squandered on the trivialities of gossip and personal information.

Toward the end of the nineteenth century, as the nation's economy shifted from agriculture to industry and Americans became preoccupied with science and business, the press began to adopt a business model. Oriented to consumers of news, the press added drama to what had become its traditional role of presenting ideas and reporting events. Critics after the Civil War increasingly assumed that news was separate from opinion, public service superseded profit, poor taste had no place in newspapers, and privacy deserved protection. The business-oriented press came to believe that there was no market for controversial ideas, but that their customers had boundless desire for sensationalism.

Although Americans have voiced concern about media conduct and content ever since colonial times, critics did not begin to think of what they were doing in terms of ethics until the 1890s. In this sense, media ethics began in the Progressive Era. The sustained ethical evaluation of the Progressive Era was followed by three periods of ferment: demonstrations of professionalism in the 1920s; the forceful definition of the long-used, but ambiguous concept of social responsibility after 1947; and growing interest in normative theory and ethical universals since the 1970s. Taken together, these four periods of media ethics history—Progressive Era, professionalism, social responsibility, and global humanitarianism—have transformed public concerns about journalism into systematic reflection and practical applications.

PROGRESSIVE ERA CRITICISM

Press criticism began to be conceived in terms of ethics at the end of the nineteenth century. Ethics as a term appeared occasionally in discussions about journalism in the 1850s, but the first article to use the word "ethics" in its title was "The Ethics of Journalism" by Catholic writer William Samuel Lilly, whose 1889 article in *The Forum* became a chapter in his book *On Right and Wrong* along with other chapters on the ethics of art, marriage, politics, property, and punishment. Lilly argued that journalists were granted freedom of the press in order "to state facts, to argue upon them, to denounce abuses, to advocate reforms," but that "truth is the last thing the average journalist thinks about" (Lilly, 1892, pp. 165, 167). Including journalism in discussions of ethics signaled

journalism's increasing importance. In the context of the 1890s, it also meant that journalism was considered a deeply flawed institution and set of practices that required serious analysis.

Critics of the press in the 1890s complained about two major problems: sensationalism and dishonesty. Critics denounced newspapers that pandered to mass readership by filling their columns with personal scandals and gruesome accounts of prizefights, murders, arsons, and suicides. Joseph Pulitzer's *New York World* published grizzly accounts of executions and obsessed about prostitution. The *World*'s chief rival, William Randolph Hearst's *New York Journal*, sent a reporter to conduct a jailbreak in Havana and even advocated the assassination of President William McKinley by editorializing, "Institutions, like men, will last until they die; and if bad institutions and bad men can be got rid of only by killing, then the killing must be done" (Mott, 1941, p. 541). A Philadelphia rabbi complained,

> Judging from the daily amount of social sewage that is allowed to stream in open sight, through the newspaper, one is often tempted to believe that newspaper proprietors must think that people commit crime solely for the purpose of filling the columns of the press.
>
> ("Mission," 1897, p. 24)

Besides sensationalism, the greatest problem that critics addressed was dishonesty. The *New York Times* complained that Hearst correspondents covering the Spanish-American War falsely reported that Cubans decapitated Spanish prisoners. *Gunton's Magazine* exposed *The Boston Herald*'s report of big business laying to waste ten industries in Kearney, Nebraska, as a fabrication designed to promote the newspaper's anti-trust cause. *The Nation* illustrated the unreliability of newspaper reports by comparing three reviews of a theater performance: One reported nearly every seat in the orchestra and the balcony full, another had the lower floor full along with three or four rows in the first balcony, and the third review described the theater as only one-third full. Indeed, making up information or exaggerating stories for effect was so common that Edwin L. Shuman's 1894 journalism textbook devoted a chapter to proper faking. "Truth in essentials, imagination in non-essentials, is considered a legitimate rule of action in every office," Shuman explained. "The paramount object is to make an interesting story" (p. 123).

Observers pinned the blame for the sensationalism and the untruths common to the press on greed and public prurience. Whether true or false, scandal sold. "The mercantile spirit of the day is to blame for what is actually pernicious in our newspapers," said a Universalist minister ("Two sorts," 1897, p. 2). A variant on this theme was the idea that the problem was keen competition, not profit as such. Although competition for circulation did lead to lower prices and more print, it also fostered sensationalism. Journalist Will Irwin said that yellow journalism spread like "a prairie fire" to "nineteen out of twenty metropolitan newspapers" (Campbell, 2001, p. 51).

Closely related to profit-mongering was the prurience of the public. After all, it was the public that was making yellow journalism profitable. "It is because the people love sensationalism that so much of it is furnished," said one critic. "The demand regulates the supply" (Wright, 1898, p. 272). Yellow journalism was a problem of more than just the poor and uncultivated, or as one writer said, "the lower order of mankind," because the middle classes also indulged themselves ("Pernicious," 1898, p. 5). According to historian Joseph Campbell, "The yellow press was doubtless read across the urban social strata in the United States at the turn of the twentieth century" (2001, p. 55). The public hunger for daily newspapers—both sensational and staid—is illustrated by penetration figures from the time. In 1890, two daily newspapers were printed for every three households in the country; ten years later there was one per household. Critics understood press reform to be more than social work among the poor; it was a process of fighting the deterioration of the entire culture.

Journalism of the 1890s was criticized for the negative effects it seemed to have on readers' attitudes, beliefs, and behaviors. Rollo Ogden, who would eventually edit the *New York Times*, wrote that daily contemplation of crime deadened the sense of revulsion to criminal activity, provided the dull-witted with ideas that they could not have conceived on their own, and nudged into action those with criminal tendencies. An article entitled "The Psychology of Crime" argued similarly, saying that regular reading of unwholesome material, especially by impressionable young people, could lead to "murders, suicides, sexual immoralities, thefts, and numberless other disorders" (Wood, 1893, p. 530). Indeed, everyone was vulnerable: details of sensualities and crimes impressed people's minds, corrupted wholesome thinking and, inevitably, character.

Such claims seemed to be confirmed by suicides that followed the publication of "Is Suicide a Sin?" by the famous agnostic Robert G. Ingersoll in Pulitzer's *New York World*. Ingersoll's attack on laws that punished would-be suicides asked, "When life is of no value to him, when he can be of no real assistance to others, why should a man continue?" (1908, p. 376). Some readers apparently took Ingersoll at his word, including Julius Marcus and Juliette Fournier, who ended their three-month extramarital affair in Central Park with a double suicide. A public outcry followed the revelation that police had found Ingersoll's column on suicide in Marcus's pocket, including a condemnation from the New York Minister's Association:

> Detailed accounts of suicides are not only obnoxious to all but the morbid, but are among the potent causes of the alarming increase of self-murder, especially when communications extenuating and even advocating it are sought and exploited as a means of increasing circulation.
>
> ("The duty," 1897, p. 12)

If immoralities and crimes resulted from the press's profit motive and the public's prurience, then the correctives seemed clear: Limit the profits that newspapers could make from sensationalism and dampen the public's appetite for titillation by changing the basis on which newspapers operated. One common proposal for diminishing the profit motive was to fund newspapers through endowments. Unlike profit-motivated newspapers tempted to pander for circulation by resorting to sex and crime reporting, endowed newspapers could afford to publish solely from conscience. Indeed, steel magnate and philanthropist Andrew Carnegie announced that he would be willing to endow a newspaper if nine other volunteers helped him, but none was forthcoming. Nobody endowed a newspaper.

Others advocated moral and economic pressure. A letter to the editor of the *New York Times* proposed having thousands of people

> wear for a period of thirty days some distinguishing badge, ribbon or button as a silent protest against new journalism, which would so shame the readers of yellow newspapers … that they would as lief fondle a mad dog as they would be seen reading these papers.
>
> ("Yellow journalism," 1898, p. 6)

But no such public protest ever materialized. Other writers declared that the yellow press would be crippled if moral businesspeople ended their patronage of offensive newspapers and advertised only in respectable publications. No such strategic advertising was ever coordinated. In 1896 reformers called for a boycott of *The New York Journal* and *World* because of their sex and crime stories, but the boycott fizzled.

These solutions failed because consumers enjoyed yellow journalism. Said one contemporary, "The newspaper is just what the public wants it to be" ("Ethics," 1897, p. 2). Recognizing that yellow journalism flourished because people wanted to read it, some critics recommended

measures to refine the public's taste. Shifting the focus of media reform from production to consumption, they suggested educating the public through essays, lectures, and college courses. But as hard as changing the press proved to be, it was even harder to convince the public that its taste in newspapers was poor. No media literacy movement emerged.

Although press criticism in the Progressive Era was piecemeal rather than systematic, taken as a whole it comprised a common-sense utilitarianism. Not that the criticism was expressed in terms of the greatest good for the greatest number—but evaluating the press according to the effects that it had upon its consumers, rather than according to its character or its intentions or the nature of its actions, was a sort of utilitarian measurement. Needless to say, the effects were always posited rather than proven, so however thought-provoking such consequentialism may have been, it failed to stimulate any serious improvements in the press. Reform would come from within journalism in the form of professional codes of ethics and higher education.

PROFESSIONALISM

Daily newspapers were wildly popular in the early decades of the twentieth century. Increases in circulation dwarfed population growth from 1900 to 1930, daily newspaper circulation growing 260 percent as the population grew only 62 percent. Daily newspapers reported information faster, more factually, and more comprehensively than ever before, and the tabloids attracted readers with breezy prose, abundant photographs, and titillating stories of sex and crime. But the press's popularity was accompanied by complaints that news was too often false, suppressed, biased, or indecent. Acknowledging its moral lapses, the press moved to show the public that it was serious about improving practices by bolstering professional training and enacting codes of ethics.

In 1900, *The Journalist* declared that college-educated journalists wrote better, thought more broadly, and were more ethical than their colleagues from the school of hard knocks. The trade journal's observations reflected the era's professionalization. Joseph Pulitzer, the publisher of *The St. Louis Post-Dispatch* and *New York World* who donated $2 million to endow the Graduate School of Journalism at Columbia University in 1910, believed that ethics was central to journalism education. "I desire to assist in attracting to this profession young men of character and ability, also to help those already engaged in the profession to acquire the highest moral and intellectual training," he explained. "There will naturally be a course in ethics, but training in ethical principles must not be confined to that. It must pervade all the courses" (O'Dell, 1935, p. 107). By 1915, journalism ethics courses were being taught at Indiana, Kansas, Kansas State, Missouri, Montana, Oklahoma, Oregon, and Washington, and other universities were incorporating ethics in their courses on journalism history and law. This focus on ethics in journalism education continued through the 1920s. In his pioneering 1924 textbook, *The Ethics of Journalism*, Nelson Crawford noted that twenty U.S. institutions offered journalism degrees and that 200 others offered some journalism instruction in an effort to foster "integrity, intelligence and objective-mindedness" (p. 170).

To meet the growing demand for reporters who were ethically sensitive as well as technically proficient, significant works on journalistic ethics were published during this era. Exhibiting what Clifford Christians calls "a dogged preoccupation with public obligation" (2000, p. 22), these works expounded upon what individual newspapers and professional associations had codified. Privileges were no longer taken for granted, sensationalism was dismissed as an excess from the past, and accuracy became the *sine qua non* of journalistic professionalism. The first books on journalism ethics in the United States were *The Ethics of Journalism* by Nelson Crawford of

Kansas State University (1924) and *The Morals of Newspaper Making* by Thomas A. Lahey of the University of Notre Dame (1924). These books appeared at the same time the first journalism textbook to include a chapter on ethics appeared: *The Principles of Journalism* by Casper S. Yost, editor of *The St. Louis Globe-Democrat* (1924). Other books appeared in rapid succession: *The Conscience of the Newspaper* by Leon Flint of the University of Kansas (1925), *Newspaper Ethics* by William Gibbons of Pennsylvania State University (1926), and *The Newspaper and Responsibility* by Paul F. Douglass of the University of Cincinnati (1929). After *Ethics and Practices in Journalism* by Albert Henning of Southern Methodist University was published in 1932, the word "ethics" disappeared from titles of books about the media until 1975, when John Merrill of the University of Missouri and Ralph Barney of Brigham Young University published a book of readings entitled *Ethics and the Press*.

Codes of ethics were a primary means that journalists in the early twentieth century used to answer their critics and to articulate their best practices. The first code of ethics for journalists was adopted in 1910 by the Kansas Editorial Association. Written by William E. Miller, the Kansas code called for advertising policies that were forthright and fair and for news that was honest, just, and decent. The admonishments were specific, advising that "all advertising should be paid for in cash," for instance, and that "no reporter should be retained who accepts any courtesies, unusual favors, opportunities for self-gain, or side employment from any factors whose interests would be affected by the manner in which his reports are made" (Miller, 1922, pp. 287, 293–294). Following the lead of the Kansas Editorial Association, numerous state press associations as well as individual newspapers adopted codes of ethics during the 1910s and 1920s.

The codes and creeds would not be limited to newspapers and state press associations. In 1923, the Canons of Journalism were adopted at the inaugural meeting of the American Society of Newspaper Editors, the culmination of Casper Yost's decade-long dream of an ethical organization of newspaper editors. The virtues of responsibility, freedom, independence, honesty, accuracy, impartiality, fair play, and decency that the Canons of Journalism championed summarized the ideals of journalism so well that the Society of Professional Journalists adopted the Canons in 1926, and other newspapers and press associations used the Canons as a model for the codes they would write.

Just as public criticism motivated journalists to write codes of ethics, government regulation motivated the National Association of Broadcasters (NAB) to create one of its own. Written in 1928, the Radio Code was created to minimize the involvement of the Federal Radio Commission, established by Congress the year before to ensure that broadcasting took place in the "public interest, convenience, and necessity." Originally consisting of unenforceable platitudes, the Radio Code grew more specific with every revision, so that the 22nd edition in 1980 was a booklet 31 pages long. The Radio and Television Codes related to advertising and program content, but adherence was voluntary and noncompliance went unpunished. In 1963, for instance, the Federal Communications Commission discovered that 40 percent of television stations exceeded the time limits for advertising set forth in the Television Code. The codes did have some impact, though, because the advertisements that television and radio stations broadcast were usually designed with NAB Code standards in mind.

Although usually written with good intentions, ethics codes have been neither universally welcome nor effective. Stanley Walker, city editor of *The New York Herald Tribune*, dismissed ethics codes as unrealistic. "Not a bad thing, this eternal seeking for sanctification," he wrote.

> There is, it may be, some hope for any reprobate who is capable of turning his head on his pillow and asking: 'Why do I have to be so rotten?' But the next day comes the avalanche of reality. There are compromises. It was always so. The saving law is: We do the best we can—in the circumstances.
>
> (1934, p. 176)

Walker's dismissal of codes as impractical and unenforceable seemed to be borne out shortly after ASNE adopted the Canons of Journalism. Several ASNE members recommended expelling Fred Bonfils, co-owner of *The Denver Post*, for violating the Canons by accepting bribes to suppress information about the Teapot Dome scandal, but in 1929 the membership voted that following the Canons was strictly voluntary. Blackmail may have been wrong, but violators could not be punished by the ASNE or any other journalism society's code. Their codes of ethics were hortatory only.

The viability of media codes would become questionable toward the end of the century. In 1979, the U.S. Justice Department claimed that the NAB's Television Code violated antitrust laws, saying that limits on the amount of time for commercials per hour, on the number of commercial interruptions per hour, and on the number of products per commercial harmed both advertisers and consumers by raising the price of broadcasting time unnecessarily. The NAB responded by eliminating its codes. Code enforcement would arise again as an issue in the mid-1980s, when news organizations began to fear that written codes of ethics could be used against them by libel plaintiffs claiming that reporters recklessly disregarded journalistic standards. This fear had a chilling effect on journalistic codes of ethics. After 1987, when the Society of Professional Journalists (SPJ) stopped asking its members to censure reporters who violated the SPJ code, most code activity in journalism moved quietly to the privacy of individual newsrooms.

After all of the codes and the chapters and the books of journalism ethics were written in the 1920s, concern for ethics was replaced by a concern for objectivity. In the minds of many at the time, ethics books and journalistic canons were seen as means of ridding journalism of its more outrageous practices. Journalism ethics became synonymous with culling values from the facts of human experience so that reporters could produce news that was neutral, unbiased, factual. Journalistic objectivity became a set of skills that could be learned and practiced. Failure to report objectively was the result of poor training or of clever public relations or propaganda. But this faith in scientific objectivity began to be shaken in the 1960s, when science itself was beginning to be explained in terms of paradigms rather than simple progress. Although the term would continue to be used, "objectivity" came to mean accuracy and fairness. *Time* publisher James Shepley explained the difference:

> We know that the truth is based on an interplay between fact and opinion, and that the two are inextricable. We always try to see to it that our facts are selected through balanced judgment, that our judgments are supported by reliable facts… It is a fallible process; but it is open, and always subject to inspection, correction and improvement. We think it is the best process available not only for describing events but for making clear their meaning.
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> <div align="right">(1968, p. 17)</div>

As the doctrine of objectivity waned, the study of media ethics reappeared.

SOCIAL RESPONSIBILITY

Concern for freedom of the press was on the mind of Henry Luce, publisher of *Time* magazine, after World War II. The experience of wartime censorship was fresh. Shortly after Japan bombed Pearl Harbor, President Franklin D. Roosevelt created the Office of Censorship, which issued a code of wartime practices for the press at home to follow and required correspondents abroad to submit their articles and photographs to military censors. Under the Espionage Act, some publishers lost their second-class mailing permits and a few others were indicted, but the press was

mostly compliant, censoring itself as it did when it withheld news of plans for the Allied invasion of North Africa in 1942 and the development of the atomic bomb. For Henry Luce, wartime censorship became personal when British Customs detained his wife, Clare Booth Luce, in Trinidad for reporting about Allied weaknesses in Libya.

There were other pressing concerns for media owners such as Luce. Worried about the power of the increasingly concentrated media, the federal government had begun to break up large media companies in an effort to diversify ownership and perspective. In 1940, the Justice Department issued a consent decree to major movie studios to increase competition within a tightly controlled film and theater industry. Three years later, the courts backed the Federal Communications Commission's order for RCA to sell one of its two NBC networks. Not only did Luce own a 12.5 percent interest in NBC's Blue Network, but he also owned *Time*, *Life*, and *Fortune* magazines, *The March of Time* radio program and film series, and the radio news show *Time Views the News*. Because Time, Inc. could easily reach a third of all Americans, Luce's empire was the type of powerful media corporation that the government had begun to investigate. As Luce's friend Robert M. Hutchins would later say, "Mr. Luce and his magazines have more effect on the American character than the whole educational system put together" (Swanberg, 1972, p. 479).

Worried that press freedoms were in jeopardy, Luce turned to Hutchins, then the chancellor of the University of Chicago, who invited a dozen renowned intellectuals including Zechariah Chafee, Harold Lasswell, Archibald MacLeish, Reinhold Niebuhr, and Arthur Schlesinger to form a Commission on the Freedom of the Press. The Hutchins Commission heard testimony from 58 representatives from the press, interviewed 225 people from government and industry, held 17 two- and three-day meetings, and studied 176 documents prepared by its staff before issuing its report, *A Free and Responsible Press*, in 1947. But rather than defend media practices, the report sounded an alarm. If the media failed to act responsibly, the commission prophesied, the government would have no choice but to regulate them. "Those who direct the machinery of the press have engaged from time to time in practices which the society condemns and which, if continued, it will inevitably undertake to regulate or control," the Commission said, adding that "freedom of the press can remain a right of those who publish only if it incorporates into itself the right of the citizen and the public interest" (Leigh, 1947, pp. 1, 18). The Hutchins Commission said that the press was responsible for providing (1) daily news that is trustworthy; (2) a forum for public expression; (3) inclusive reporting, free of stereotypes; (4) stories that pursue and probe democratic life; and (5) universal access to daily news. Anything less was unworthy of a press that had Constitutional protections so that it could help democracy work, not in order to make money.

These were words that Luce and other lords of the press did not want to hear. They denounced the Hutchins Commission report and tried to ignore its fundamental claim that freedom from government interference did not negate the media's public service obligations, that indeed *freedom for* public service was the very premise for *freedom from* government interference. The media clung to their laissez-faire outlook as if newspaper chains and one-city dailies were not sweeping away traditional free market conditions. Dismissing the Commission's concerns, the media provided less and less news and opinion for an informed citizenry. They were increasingly in the business of selling audiences to advertisers.

But while the press was ignoring the Hutchins Commission report, journalism schools started to take it seriously. In 1956, social responsibility was being explained along with authoritarianism, libertarianism, and communism as one of the *Four Theories of the Press* (Siebert, Peterson, and Schramm, 1956). The following year Wilbur Schramm published *Responsibility in Mass Communication*. And in 1962, J. Edward Gerald's *Social Responsibility of the Press*, which

complained that the media's Jeffersonian idealism had been corrupted by their rapacious quest for profit, called the Hutchins Commission's report "timeless" (Gerald, 1962, p. 103). Generations of journalists would begin their professional lives having considered that their skills were best used for public rather than corporate good.

Social responsibility may not have been a developed theory, but it was a persuasive, other-oriented perspective that valued both freedom from government interference and commitment to the public good. Rejecting government regulation, social responsibility advocated cooperation between the media and citizenry in concrete efforts that would limit market excesses and pressure the media to serve society rather than narrow self-interest. These efforts resulted in the creation of news councils, ombudsmen, and journalism reviews.

The most active news council in the United States was organized in 1970 by the Minnesota Newspaper Association to emulate the British Press Council, which helped maintain public confidence in the press by hearing complaints about news media. The Minnesota News Council, composed of journalists and public volunteers, heard its first case in 1971, when it upheld the complaint about a *St. Paul Union Advocate* story asserting that a legislator was being paid off by the liquor lobby. (The editor confessed that the story was so good that he failed to find out whether it was true.) Since then the Council has conducted about four public hearings a year, upholding half of the complaints it has received. Other state and city councils still operating are the Washington News Council, which held its first hearing in 1999, and the Honolulu Community-Media Council, which began in 1970. In 2006, the John S. and James L. Knight Foundation provided two $75,000 grants to establish The Southern California News Council and The New England News Council.

The only nationwide news council was founded in 1973 with a grant from the Twentieth Century Fund. The National News Council investigated more than 1,000 complaints about media misconduct and published its conclusions in the *Columbia Journalism Review* and later in *Quill*. But major news organizations, including the *New York Times*, Associated Press, and CBS, opposed news councils, claiming that they opened the door to government regulation of the media. The National News Council could not continue without their support, so it ceased operating in 1983.

A more immediate approach to media accountability has been the appointment of ombudsmen, in-house critics who respond to public criticisms of media content. Harkening back to the Bureau of Accuracy and Fair Play that Joseph Pulitzer started in 1913 to handle complaints about his *New York World*, media ombudsmen were first proposed formally in 1967 by media critic Ben Bagdikian as a sort of institutional conscience to help maintain public accountability as family newspapers were absorbed into newspaper chains. Three months later, John Herchenroeder of *The Courier-Journal* and *Times* of Louisville, Kentucky became the first newspaper ombudsman in the United States. Sometimes called readers' representatives, readers' advocates, or public editors, they are usually seasoned and highly respected reporters who criticize newspapers from within. Alfred JaCoby, who served for seven years as readers' representative for *The San Diego Union*, recalls the paper's owner confessing that his criticism sometimes angered her. "But you must go on because it's good for the newspaper" (2003, p. 188), she told him. However valuable to those media who have them, ombudsmen have been appointed by only a few dozen newspapers and broadcast newsrooms.

A third outcome of social responsibility are journalism reviews, periodicals that criticize the news media. Early journalism reviews include the *Nieman Reports*, begun in 1947 as part of Harvard University's Nieman Fellowships for mid-career journalists, which the widow of the founder and publisher of the *Milwaukee Journal* endowed "to promote and elevate the standards of journalism in the United States" ("About the Nieman Foundation," 2006). Veteran reporter George Seldes published a more acerbic review, *In fact*, from 1940 to 1950. The years 1968 to

1975 were a period of ferment for journalism reviews. More than two dozen reviews appeared during this period, ranging from the commercial (*MORE*, 1971–1978) to the militant (*The Unsatisfied Man*, 1970–1975). They represented various groups including African-Americans (*Ball and Chain Review*, 1969–1970), feminists (*Media Report to Women*, 1972 to date), journalists (*St. Louis Journalism Review*, 1970 to date), and students (*feed/back*, 1974–1986). Although most journalism reviews from this period lasted no more than 18 months, their legacy was permanent. Today media criticism is part and parcel of the mainstream media as well as professional organizations such as the Society of Professional Journalists. The university-based *Columbia Journalism Review* (1961 to date) and *American Journalism Review* (originally *Washington Journalism Review*, 1977 to date) are still going strong, as are partisan reviews such as the *AIM Report* (1972 to date) on the right and *Extra!* (1987 to date) on the left of the American political spectrum.

GLOBAL HUMANITARIANISM

The 1980s brought a new sense of urgency to media ethics. For one thing, the stakes were higher. There were more media than ever before and media audiences seemed insatiable. And the promise of Marshall McLuhan's global village seemed to be momentarily fulfilled in the summer of 1985 with the charity rock concert Live Aid, which simultaneously reached an estimated 1.5 billion viewers in 100 countries and raised more than $250 million for famine relief in Ethiopia. Media continued to multiply in the 1990s, with direct broadcast satellites and cell phones, not to mention the Internet, which by 2007 had an estimated 1.1 billion users across the world.

However impressive the diversity and the reach of the media had become, the 85 percent of the world's 6.5 billion citizens without Internet access demonstrated the underside of the exponential growth in communications. Penetration was lopsided. Most North Americans (69 percent) were connected to the Internet, as were most residents of Oceania/Australia (54 percent) and the European Union (52 percent), but few Africans (4 percent), Middle Easterners (10 percent), or Asians (11 percent) were online. The stark contrast between communication haves and have nots illustrated one cause for the replication of patterns of wealth and poverty in the world.

This incongruity of media access and media power was the focus of *Many Voices, One World*, the influential report that UNESCO's International Commission for the Study of Communication Problems issued in 1980. The so-called MacBride report, named after the commission's Nobel Peace Prize-winning chair Sean MacBride, proposed a New World Information and Communication Order (NWICO) that advocated "a free and balanced flow" of information internationally. Among its recommendations were measures to help protect journalists, who were increasingly the targets of violence. (According to the Committee to Protect Journalists, an average of 40 journalists were killed every year from 1992 to 2006 for attempting to report their observations truthfully, and few of the perpetrators were brought to justice.) And bemoaning the predominance of Northern Hemisphere news agencies such as the Associated Press, Reuters, and Agence France-Presse, NWICO called for a UNESCO-funded Southern Hemisphere news agency to help right the imbalance. "Unless some basic structural changes are introduced," the MacBride report said, "the potential benefits of technological and communication development will hardly be put at the disposal of the majority of mankind" (International Commission, 1980, p. 3).

NWICO's insistence on the right to communicate transformed into a broader notion of communication rights that empower people in their own particular circumstances. The handbook *Assessing Communication Rights* (Siochrú, 2005) conceives communication rights as four pillars: (a) communicating in the public sphere, (b) communicating knowledge, (c) civil rights in communication, and (d) cultural rights in communication. According to this framework, communication

rights flourish to the extent that media stimulate truly open debate and interaction; that knowledge is generated for the good of all; that citizens are ensured privacy of communication, control over their own personal information, and freedom from surveillance; and that individuals are free to communicate in their indigenous languages and to express their indigenous cultures.

As NWICO promoted just information flows internationally, academic media ethics came into its own organizationally. The first academic center for the study of media ethics, University of Minnesota's Silha Center for the Study of Media Ethics and Law, was established in 1984. That same year, the non-profit Poynter Institute for Media Studies instituted a seminar in applied ethics for reporters and editors. In 1985, the *Journal of Mass Media Ethics* began publication as a semiannual refereed journal; it became a quarterly journal in its fifth year. The semiannual *Media Ethics Update*, now *Media Ethics*, followed in 1988. Courses in media ethics proliferated. A 1980 survey identified 68 colleges and universities with freestanding courses in media ethics; by 1995, more than 158 colleges and universities were teaching courses in media ethics. The Media Ethics Division of the Association for Education in Journalism and Mass Communication was established in 1999 with a membership of nearly 200 scholars, and media ethics has had a presence in the Association for Practical and Professional Ethics from its inception in 1991. Chairs of media ethics were endowed at McGill University, the University of South Florida, and the University of Oregon (which began a graduate certificate program in media ethics in 2006). Since 1990, the Library of Congress has added one book every month under the subject heading of "journalistic ethics—United States," "communication—moral and ethical aspects," or "mass media—moral and ethical aspects."

As media ethics became incorporated into North American academics, international concerns were squarely on the agenda. In 1980, under the auspices of the International Association for Mass Communication Research, Anne van der Meiden of the State University of Utrecht (the Netherlands) published *Ethics and Mass Communication*, a collection of papers from Europe, North America, and Asia that addressed ethical issues cross-culturally. At the end of the decade, Thomas Cooper of Emerson College edited another cross-cultural anthology, *Communication Ethics and Global Change* (1989), which showed that concepts of truth, responsibility, and free expression permeate codes of media ethics across the world. Another set of cross-cultural studies followed in 1997 with *Communication Ethics and Universal Values* edited by Clifford Christians and Michael Traber (Christians and Traber, 1997). This book advanced the thesis that the sacredness of life is a universal belief that yields the moral universals of human dignity, honesty, and non-violence. Articles in the 2002 special issue of the *Journal of Mass Media Ethics* on the "search for a global media ethic" explored the possibility of universal ethical standards and an international code of journalism ethics, and showed that universal standards and principles have continued to preoccupy media ethics scholars.

Attempts to articulate ethical theories with cross-cultural appeal multiplied. Some turned to the discourse ethics of German philosopher Jürgen Habermas (1990), who attempted to describe rational and universal "ideal speech situations." Habermas described democratic life as a state in which the media fostered public conversation and debate based on equality, respect, and empathy. Clifford Christians and two colleagues proposed a theory of communitarianism as an alternative to the dominant individualism and its counterpart collectivism. As articulated in *Good News: Social Ethics and the Press*, communitarianism understood human beings as relational and on this basis proposed democratic transformations of media practices and organizations (Christians, Ferré, and Fackler, 1993). Another theoretical avenue was virtue ethics, which emphasizes what Klaidman and Beauchamp in *The Virtuous Journalist* called "a fixed disposition to do what is morally commendable" (1987, p. 18). Often applied to individuals, virtue ethics also informed discussions of corporations, as Nick Couldry did in *Listening Beyond the Echoes* (2006), which

argues that as moral agents that bear essential information, the media need to be accurate, sincere, reflective, open, and accountable. Others drew on Carol Gilligan's *In a Different Voice* (1982) and Nell Noddings' *Caring* (1984) for feminist media ethics, which stressed equality, respect, and attachment as experienced in actual relationships, values that contrasted with the distance of journalistic objectivity and abstracted rules of professional codes.

For leading scholars, international communication had become more than an area of academic interest. Global, multimedia journalism had become the starting point for media ethics. Stephen J. A. Ward, author of *The Invention of Journalism Ethics* (2004), argued that the development of global news media and online journalism necessitated new approaches to journalism ethics. He contrasted parochial perspectives with more ethical, cosmopolitan perspectives. Parochial perspectives settled for a national context, neglecting cross-cultural comparisons of media traditions and practices. They acknowledged international reporting, but as a foreign activity disconnected from local practices. Cosmopolitan perspectives, on the other hand, situated practices and principles in a global context. Thinking of media serving a global human good, they define ethical journalism as helping address the staggering problems of humanity (Ward, 2006).

CONCLUSION

The four periods of ferment in American media ethics history—the Progressive Era, professionalism in the 1920s, social responsibility after 1947, and global humanitarianism after 1980—signify a century of concern about media ethics on the parts of citizens, practitioners, and academics. The fact that the public has been involved in media ethics from the beginning and that professionals and academics have taken public concerns seriously shows that media ethics is a democratic enterprise. Issues such as fairness, privacy, and truth-telling have been debated in public forums, seminars, and newsrooms to various effects. Assumptions underlying these debates have changed from the caveat emptor of libertarianism to the obligations of social responsibility and global humanitarianism. Sometimes media ethics changes media behavior, sometimes not. Whatever the outcome, citizens in a democracy usually get the media they deserve.

Historical investigations of media ethics tend to be topical. They have traced the histories of ideas such as objectivity or privacy. The most useful of these histories have asked questions that have a bearing on current practice: How have issues in media ethics been framed? What assumptions did various sides of arguments make? What kinds of evidence were employed in the arguments? Were answers to questions translated into policies and practices? How has the enculturation of media ethics changed over time? Who has been revered in media history, and what does such reverence say about the generation that held these individuals in high esteem? What people, institutions, policies, and practices have exemplified key changes in media ethics? What lessons can be learned from the past, and does our present vantage point allow us to render judgments on previous practices? *Is* may not imply *ought*, but the more we know about how media ethics has been conducted in the past, the more perceptively we can address the important issues in media ethics today.

REFERENCES

About the Nieman Foundation: History. (2006). Retrieved April 10, 2007 from www.nieman.harvard.edu.

Campbell, W. (2001). *Yellow Journalism: Puncturing the Myths, Defining the Legacies*. Westport, CT: Praeger.

Christians, C. (2000). An intellectual history of media ethics. In B. Pattyn (Ed.), *Media Ethics: Opening Social Dialogue* (pp. 15–46). Leuven: Peeters.

Christians, C., Ferré, J., and Fackler, M. (1993). *Good News: Social Ethics and the Press*. New York: Oxford University Press.

Christians, C., and Traber, M. (Eds.). (1997). *Communication Ethics and Universal Values*. Thousand Oaks, CA: Sage.

Cooper, T. (Ed.). (1989). *Communication Ethics and Global Change*. White Plains, NY: Longman.

Coultry, N. (2006). *Listening Beyond the Echoes: Media, Ethics, and Agency in an Uncertain World*. Boulder, CO: Paradigm.

Crawford, N. (1924). *The Ethics of Journalism*. New York: Alfred A. Knopf.

Dicken-Garcia, H. (1989). *Journalistic Standards in Nineteenth-Century America*. Madison, WI: University of Wisconsin Press.

Douglass, P. (1929). *The Newspaper and Responsibility*. Cincinnati, OH: Caxton.

The Duty of the Press. (1897). *New York Times*, January 26, p. 12.

Ethics of Newspapers. (1897). *New York Times*, March 25, p. 2.

Flint, L. (1925). *The Conscience of the Newspaper: A Case Book in Principles and Problems of Journalism*. New York: D. Appleton.

Gerald, J. (1962). *Social Responsibility of the Press*. Minneapolis, MN: University of Minnesota Press.

Gibbons, W. (1926). *Newspaper Ethics: A Discussion of Good Practice for Journalists*. Ann Arbor, MI: Edwards Brothers.

Gilligan, C. (1982). *In a Different Voice: Psychological Theory and Women's Development*. Cambridge, MA: Harvard University Press.

Habermas, J. (1990). *Moral Consciousness and Communicative Action*. Trans. C. Lenhardt & S. Nicholsen. Cambridge, MA: MIT Press.

Henning, A. (1932). *Ethics and Practices in Journalism*. New York: R. Long & R. R. Smith.

Ingersoll, R. (1908). *The Works of Robert G. Ingersoll* (Vol. 7). New York: Dresden.

International Commission for the Study of Communication Problems. (1980). *Many Voices, One World: Towards a New More Just and More Efficient World Information and Communication Order*. New York: Unipub.

JaCoby, A. (2003). The newspaper ombudsman: A personal memoir of the early days. In C.-J. Bertrand (Ed.), *An arsenal for Democracy: Media Accountability Systems* (pp. 185–190). Cresskill, NJ: Hampton.

Klaidman, S., and Beauchamp, T. (1987). *The Virtuous Journalist*. New York: Oxford University Press.

Lahey, T. (1924). *The Morals of Newspaper Making*. Notre Dame, IN: University of Notre Dame Press.

Leigh, R. (Ed.). (1947). *A Free and Responsible Press*. Chicago, IL: University of Chicago Press.

Lilly, W. (1892). *On Right and Wrong* (3rd ed.). London: Chapman and Hall.

Merrill, J., and Barney, R. (Eds.). (1975). *Ethics and the Press: Readings in Mass Media Morality*. New York: Hastings House.

Miller, W. (1922). Code of ethics for newspapers. *The Annals of the American Academy of Political and Social Science*, 101, 286–294.

Mission of newspapers. (1897). *New York Times*, February 7, p. 24.

Mott, F. L. (1941). *American Journalism: A History of Newspapers in the United States Through 250 Years, 1690–1940*. New York: Macmillan.

Noddings, N. (1984). *Caring, a Feminine Approach to Ethics & Moral Education*. Berkeley, CA: University of California Press.

O'Dell, D. (1935). *The History of Journalism Education in the United States*. New York: Columbia Teachers College.

Pernicious Yellow Newspapers. (1898). *New York Times*, March 28, p. 5.

Shepley, J. (1968). A letter from the publisher. *Time*, September 20, p. 17.

Shuman, E. (1894). *Steps into Journalism: Helps and Hints for Young Writers*. Evanston, IL: Correspondence School of Journalism.

Siebert, F., Peterson, T., and Schramm, W. (1956). *Four Theories of the Press: The Authoritarian, Libertarian, and Social Responsibility and Soviet Communist Concepts of What the Press Should Be and Do*. Urbana, IL: University of Illinois Press.

Siochrú, S. (2005). *Assessing Communication Rights: A Handbook*. Retrieved April 10, 2007 from www. crisinfo.org/pdf/ggpen.pdf.

Swanberg, W. (1972). *Luce and His Empire*. New York: Charles Scribner's Sons.

Two Sorts of Journalism. (1897). *New York Times*, February 8, p. 2.

van der Meiden, A. (Ed.). (1980). *Ethics and Mass Communication*. Utrecht: Department of Mass Communications, State University of Utrecht.

Walker, S. (1934). *City Editor*. New York: Frederick A. Stokes.

Ward, S. (2004). *The Invention of Journalism Ethics: The Path to Objectivity and Beyond*. Montreal: McGill-Queen's University Press.

Ward, S. (2006). Ethics for a revolutionary age: A global approach? *Journal of Mass Media Ethics*, 21, 363–371.

Williams, J. (2005). Printing in America, 1600–1690. In W. Sloan (Ed.), *The Media in America: A History* (6th ed., pp. 17–34). Northport, AL: Vision.

Wood, H. (1893). The psychology of crime. *The Arena*, October, pp. 529–535.

Wright, T. (1898). The secular press. *New Church Review*, 5(April), 270–273.

Yellow Journalism Nuisances. (1898). *New York Times*, March 23, p. 6.

Yost, C. (1924). *The Principles of Journalism*. New York: D. Appleton.

3

Essential Shared Values
and 21st Century Journalism

Deni Elliott

If anyone can be a publisher, some might argue that there is no need for journalists. Individuals and groups have unprecedented ability to capture and broadcast images, events, and interpretations without the filter of traditional news organizations. The Web allows unlimited access to the opinions of others and to information from credible (and incredible) sources. Users with Internet access are adrift in a flood of visual and textual messages. It is clear that any role journalists might play in this Information Age has changed from being the primary provider of information that citizens needed to effectively function in their community, country, and world.

The technological changes that propelled interpersonal and mass communication from the analog to the digital era has caused a paradigm shift for journalism. One hallmark of paradigm shift, as described by scientist Thomas Kuhn (1962), who first coined the term, is that a significant number of relevant parties realize that old assumptions about how the social institution under examination should function no longer hold. According to Kuhn, a paradigm shift is not a neat and tidy transition. It is a revolution, a transformation in which "one conceptual worldview is replaced by another" (Take the Leap, n.d.).

The instantaneous aspect of communication in the digital era, for example, has changed many of the conventions and expectations for how it is appropriate to interact with one another. The formal salutations and closures of physical letter writing have generally been abandoned in sending texts or email. Receipt and response to physical mail might take as long as a month; receipt and response to electronic communication may be a matter of seconds. The success of a telephone call was dependent on catching someone at home or in their office near a landline and not knowing who might answer the phone. Now mobile devices provide immediate contact via voice, text, or images and it is rare for individuals to share their device with others. Vehicles for news included printed and distributed newspapers and commercially-produced shows broadcast on radio and television, most of which were competing with one another to deliver the same message to the same mass audience at the same times each day. Sender-controlled scheduled news media has been replaced by user-initiated access to real-time targeted information.

In this chapter, *Essential Shared Values and 21st Century Journalism*, I argue that while the paradigm shift has changed conventions and expectations for how journalism serves citizens,

credible journalists and news organizations with commitment to the truly essential values of journalistic practice, are more necessary than ever for the development and sustenance of democratic process. The late 20th century paradigm shift from analog to digital communication, as with other paradigm shifts in the history of mass communication, includes fundamental changes in how, when, and from where people receive information; it does not change citizens' need for balanced, accurate, relevant, and credible information.

Paradigm shifts create confusion while old expectations disappear and new understandings arise. New technology paradigms do not arrive with conventions of practice attached and accepted. The period of time in which the old conventions and processes don't really apply and that new understandings and conventions are in development is notable for its lack of consensus. During this time, "competing schools of thought possess differing procedures, theories, even metaphysical presuppositions" (Stanford University, 2007).

Yet, essential aspects of social institutions endure, even during paradigm shifts. The social responsibility of journalists, at least in democracies, is to notice and report the important events and issues that citizens need to know so that they can effectively govern themselves (Elliott, 1986; Kovach and Rosenstiel, 2001). That remains true despite paradigm shifts. Civic engagement requires information and opinions that create an individual's web of beliefs. Regardless of how distorted a particular person's beliefs may be, the unique social responsibility of those who call themselves journalists is to provide balanced, accurate, relevant, and complete information to audience members to the best of their ability. Essential shared values are those values that directly support journalists fulfilling their unique social responsibility (Elliott, 1988, pp. 29–30).

FORCES OPPOSING TRADITIONAL JOURNALISM IN THE EARLY 21ST CENTURY

In the current paradigm shift, four changes are most evident in 21st century journalism from that of the traditional journalistic practices that developed in the early 20th century:

1. Affordable satellite technology allows for instant transmission of messages by anyone;
2. The Internet allows for instant access to information, as well as providing an instant podium and microphone for response in the virtual, global town-square;
3. The Internet has created a 24-hour expectation for information flow, and destroyed the space- and time-limited news hole of traditional journalism; and
4. A lack of hard borders between types of mass communication—news, entertainment, advertising, and opinion—and the social media platforms that receive and deliver communication has resulted in a mixed bag of messages that defy easy classification and may lead to user misinterpretation (Elliott and Spence, 2018).

Traditional journalism required that journalists recognize newsworthy events and create images or textual, audio or visual narratives to share with a mass audience. Now, breaking news is as likely to come from the mobile device of a participant or an accidental observer as it is from a journalist employed by a news organization. This input has given rise to the term *citizen journalist* as a label for those who are gathering information for news stories without the sanction of a recognized news organization. Instead of details gathered and repackaged by journalists, information comes via *open sourcing* from a variety of information givers. Citizens at large have gained greater credibility as sources of information. But, according to long-time editor Robert Giles, "[M]astery of [new technology] is not a substitute for journalistic skills and values"

(2001, p. 5). The ability to witness and collect data does not make one a journalist. While traditional journalism was intended to prioritize the public interest in story development and delivery, internet-based sources often intentionally choose among source material to promote an ideology or particular point of view.

Traditional journalism took time. It took time to fact check a story. It took time for editors to review stories and determine the priority of placement in newspapers and broadcast news programs based on what should be most important to a mass audience of active citizens. It took many hours to produce the newspaper or the news show. But, every technological advance, from the Gutenberg press to telegraph to computer to satellite to Internet, has cut down the time that journalists thought that they needed to competently do their work.

For generations, there was more information that a news organization had print or broadcast space to use; what was used was said to fill the "news hole." In addition, journalists had facts that they believed to be true, but that they could not report (yet) due to a lack of hard evidence or verification. But, that too has changed. According to Bryon Calame, a *Times* Public Editor:

> For more than a century, *New York Times* reporters covering the newsworthy developments of the day typically focused on having the stories ready by the evening deadlines for the next morning's paper … More and more, *Times* staffers are expected to deliver breaking news stories to the Web version of the paper 24 hours a day—as soon as the articles are ready. That means more editors are constantly balancing speed against completeness to decide when an article is good enough to carry *The Times'* respected brand.
>
> (Calame, 2006a, November 19)

Calame notes that the result is a different mindset for journalists along with an explosion of "multimedia and video presentations, audio, blogs and interactive graphics" (2006a, November 19). The ability to transmit instantly has created the expectation of instant transmission. The concept of a news hole limited by space or time has dissolved for both producer and user.

Traditionally, journalism involved a group of like-minded practitioners, choosing among topics and details, gate keeping and fact checking their way to the creation of a news story. Huddled in separate newsrooms, reporters and photographers, designers and editors, producers and news directors adhered to common values, each seeking to develop similar news products first.

Now, instead of information givers all being journalists, who operate with similar conventions of practice, bloggers are claiming turf, as are participants and witnesses to important events. Print and broadcast tabloids, once dismissed for their sensationalism and incredible yarns, have broken true and important stories. These information givers do not respect the same rules as traditional journalists, but they influence traditional reporting.

Today "Internet journalism, according to those who produce manifestos on its behalf, represents a world historical development—not so much because of the expressive power of the new medium as because of its accessibility to producers and consumers" (Lemann, 2006, p. 44). Every user can be both a producer and consumer of news. K. Daniel Glover, editor of National Journal's *Technology Daily*, and graphic designer Mike Essl call bloggers, "the pamphleteers of the twenty-first century, revolutionary 'citizen journalists' motivated by personal idealism and an unwavering confidence that they can reform American politics" (Glover and Essl, 2006, p. 13). Bloggers, like journalists, seek to attract an audience and to provoke thought among those users. According to editor, E.J. Dionne, bloggers

exist to engage citizens in the obligations and magic of politics. They draw people into the fight. They have made millions of people feel that their voices will be heard somewhere and, when aggregated together, can have a real influence on the outcome of policy debates and elections.

(Dionne, 2006, p. 34)

The capability of audience members to control collection and dissemination of news, collectively and individually, can lead to the conclusion that consumer judgment can substitute for news judgment.

Disintermediated news is … not selected by editors. [It is news based on the assumption that] markets are capable of making better decisions about news than editors. We're getting this from two sides. First, there are the Web people, who have ingeniously figured out how to decide what's important by tabulating the collective wisdom of online readers. How galling for us—to be replaced by algorithm. Second, we're getting it from our own corporate leaders, who believe in market research. Why not just edit by referendum? They wonder. Why not just ask people what they want and give it to them?

(Carroll, 2006, p. 5)

The short answer to Carroll's rhetorical question is that "what is in the public interest" and "what the public is interested in" are very different concepts. Essentially, journalists have the responsibility to report what is in the public interest and to try their best to help members of the public care about the topic upon which they report. Seeking to engage members of the public regardless of the importance of the topic is the foundation for click-bait and is more properly in the territory of entertainment media rather than journalism.

Journalism, in the first part of the 21st century, is a practice seeking newly defined boundaries:

[I]t appears that there are two contrasting theories of journalism …   One consists of established standards and practices that emanate from print and broadcast journalism and the belief that journalism has a social responsibility to inform citizens and nurture democracy, while the other is informed by suspicion of centrally managed, traditional media conglomerates and a belief, inspired by the open architecture of the Internet and flexibility of Web publishing, that citizens can participate in democracy by creating their own journalism.

(Berkman and Shumway, 2003, p. 67)

Traditional news was once easy to distinguish from other forms of mass communication. The boundaries between news and opinion, news and entertainment, news and advertising have softened for a variety of reasons, but whether a particular informational product ought to count as news, reality, analysis, opinion, or parody is now sometimes difficult to judge.

Consider, for example, two fake news shows that have been shown to be "just as substantive as network television news". John Stewart, host of Comedy Central's "The Daily Show" (TDS), and Stephen Colbert of "The Colbert Report" (TCR), became 21st century cultural icons by deconstructing traditional news stories, often exhibiting greater truth than had been initially reported. Ethics scholars Sandra Borden and Chad Tew explain that real news and the "fake" news of the two comedy shows are deeply intertwined.

[B]y relying on raw material that has been "vetted" by journalists, TDS and TCR implicitly buy into factuality—and its associated rules of evidence—as a key norm for good journalism … At the same time, "fake" news demonstrates how the same set of "facts" can be interpreted differently and contextualized more thoroughly.

(Borden and Tew, 2007, pp. 10–11)

Rather than concluding that such shows make it difficult for audience members to differentiate news from other products, Borden and Tew argue that the comedy shows provides a critical perspective, by which true news can be judged. The use of "fake" news in the satirical show context is vastly different from the meaning of politicians who decry messages that they don't like as "fake" news. Satirized news is easily understood press criticism that lets citizens in on a humorous analysis of news coverage that is rooted in traditional news values. The "fake" news label, when used by disgruntled politicians unethically encourages citizens to question the truthful messages provided by legitimate news organizations.

MOVING FROM THE 20TH CENTURY TRADITIONAL PARADIGM TO THE NEW PARADIGM

Under the traditional paradigm of news reporting, journalists should:

1. Seek external discoverable truth or, if there is no clear single truth, present two opposing sides of the story;
2. Use sources with recognized expertise or authority;
3. Present that material objectively;
4. For consumption by a general mass audience;
5. Through one-way communication.

The new paradigm of journalism, in contrast, looks like this:

1. Notice issue and events;
2. Use own reporting as well as open sourcing;
3. Filter that through journalistic perspective;
4. For consumption by targeted audiences;
5. Who then provide feedback.

This section explores clashes between these two paradigms. However, it is important to remember that what is here called the "traditional" paradigm itself developed through a clash with an earlier paradigm that was based on the partisan press.

According to Dionne,

> From the beginning of our republic in the 1790s until the turn of the [20th] century, American newspapers were, for the most part, the organs of political parties. There was no ideal of objectivity … [But, then r]eformers who looked for professionalism, as against bossism, in politics eventually turned to seeking professionalism in journalism.
>
>   Walter Lippmann … led the way to a redefinition of journalism's role and the journalist's responsibilities. The notion that newspapers should be objective rather than partisan was the product of Lippman's admiration for the scientific method, his skepticism of ideology, and, some of his critics would argue, his less than full-hearted faith in democracy.
>
> <div align="right">(2006, p. 34)</div>

History shows us that new technology loosens old conventions and transforms the way that big stories are covered. In the 19th century, telegraph, the wire service, and the other technological developments created the ability to move a single story or picture to thousands of news outlets at

a time. At the same time that these technologies were in development, the industrial revolution and an unending series of scientific discoveries were giving people a new sense of control over their environment. Causes and effects, and solutions to problems could all be discovered if only enough talent and resources were dedicated to the problem. Philosophers and scientists and the lay public agreed: the truth could be known.

These beliefs about human ability to know and control the world reverberated in the 20th century journalistic paradigm. Information could come from a common source, such as the team of Associated Press reporters at the scene of a catastrophe. Text and visual journalistic accounts that resulted were distributed to the thousands of news outlets that subscribed to wire services. News, produced to provide the truth to a broad audience of Americans seemed to exist independent of the age, ethnicity, politics, or geography of its consumer.

An early U.S. journalistic code of ethics adopted by the American Society of Newspaper Editors (ASNE) in 1923 reflected the technological, political, and scientific understandings of the new century. For example, journalists were told to exhibit "natural and trained powers of observation and reasoning."

But, technology threatened the status quo.

> Two hundred years ago, James Gorden Bennett of the *New York Herald* was one of many who thought the telegraph would put newspapers out of business. It was a logical conclusion, he said, because "it would eliminate the competitive advantage he had over his rivals. All that would be left to newspapers was commentary and analysis."
>
> (Giles, 2001, p. 3)

"In newsrooms of the early nineteenth century, timeliness was not a priority. Newspapers were almost exclusively local" (Giles, 2001, p. 2). The telegraph changed all of that. Newspapers survived and the journalistic value of timeliness was born. Marketing values had a hand in the development of the non-partisan paradigm as well. Dionne notes: "By being non-partisan and objective, newspapers did not offend half or more of their potential audience" (2006, p. 36).

But objective reporting was often that which didn't threaten the commonly held values of the audience. American journalism's coverage of World War II provides a good example. This was a non-controversial war from the point of view of most U.S. news consumers. Emerging technology, in the form of radio coverage, seemed to reinforce the notion that objective truth consisted of external reality that journalism helped citizens to experience.

From the time that Pearl Harbor was attacked on December 7, 1941, journalists rallied to give American audiences the American truth and show off new technology. The war was a radio news exclusive from the 2:22 p.m. Eastern Standard Time wire service report the day of the attack until the morning newspapers hit the stands at daybreak Monday.

CBS correspondent Edward R. Murrow gave listeners minute-by-minute descriptions of life in the war zone and experimented with new reporting techniques. For the first time ever, listeners had what we now call "natural sound"—they could hear for themselves what was going on at the scene while it was being reported (Edwards, 2004, pp. 51–52).

Purported objectivity was easy to achieve when it was believed by the audience that there was only one right side. In reality, there were other stories that were barely told or not told at all. For example, information that the U.S. government consistently denied assistance to Jewish families seeking escape from German genocide did not make its way into mainstream coverage of the day (*Jewish Virtual Library*, January 13, 1944). Nationalistic coverage was mistakenly believed to be objective coverage.

Within a decade of the war's end, however, objectivity and the understanding of what counted as news came under serious attack. The United States returned to peacetime comfortable in its military strength, but not as sure of the country's ability to withstand the more subtle threat of anti-democratic politics.

According to contemporary journalist Bob Edwards (2004), U.S. Senator Joe McCarthy, who fanned the fear of Communists in our midst, was a careful student of objective reporting in the early 1950s. Day after day, the Senator waved his new set of allegations too close to the conventional late-afternoon deadline for journalists to find an equally believable source who could give the other side of the story. The news convention of the day dictated that journalists report only what they were told. The Senator, as named source, provided an illusion of expertise. Denials, if published at all, came too late to gain the attention given to the initial claims.

Thoughtful journalists at the time were troubled that their objective, verifiable, named source reporting of external events did not reflect *truth*. But, it took the maverick television reporting of Edward R. Murrow to provide context for McCarthy's allegations. The just-born television documentary had not yet developed norms of conduct. It was different enough from the printed news story that it didn't follow the same rules. The content was controlled by its producer, not its sources. Producers sought to give complete stories rather than simply echo the pronouncements of authoritative sources. The "See It Now" piece, so devastating to Senator McCarthy, was aired in early March, 1954.

Bound by the Federal Communication Commission's requirement of fairness, Senator McCarthy was given an opportunity to produce a response that was later broadcast in the same time slot. But, in the end, McCarthy fell victim to the process that he had himself exploited. The "See It Now" television documentary provoked public disgust over McCarthy's misuse of his power and of news media. McCarthy's denial and explanations, four weeks later, could not rally equal attention or belief (Edwards, 2004, pp. 105–123).

On the face of it, it seemed that 20th-century technology conformed to the traditional paradigm technique of journalists channeling objective information. During that century, technology first, provided still images in addition to text so that citizens could see how something really looked; then audio let people know how events sounded, then video showed them how the event happened, and finally satellite technology put audiences in events as the story was still developing. And, from the beginning of that century, journalists worked to transmit the accounts of sources and story subjects with dispassionate accuracy. But, rather than reinforce the belief of a single Enlightenment-style truth, slice-of-life journalistic reporting ultimately revealed that stories have multiple perspectives rather than a single infallible truth.

Reporting on later 20th century stories such as the U.S. civil rights movement, the Vietnam War, and Watergate could not have happened through exclusive reliance on authoritative sources contributing in traditional ways.

Consider, for example, the reporting on Watergate. Then veteran *Washington Post* reporter Bob Woodward and novice reporter Carl Bernstein did not wait for official pronouncements or for on-the-record credible sources to tell the nation what was happening and why. Woodward and Bernstein obtained information however they could, tricking telephone company clerks and pressuring witnesses called before the grand jury into the disclosure of information. Rather than searching for, finding, and then reporting some indisputable truth, the Watergate reporting included a confluence of perspectives emerging from White House statements, leaked tapes, leaked grand jury testimony, Congressional testimony, stolen files, insiders seeking to expose corruption, those seeking to cover it up, and those changing sides. Woodward and Bernstein drew conclusions from a conglomerate of sources "close to the matter" and provided a narrative that best fit the pieces they were able to collect (Woodward and Bernstein, 1974).

However, the myth of objective reporting continued in the public mind and in journalism schools until the reporting on a new Presidential scandal 14 years later. The coverage of President Bill Clinton and his affair with a White House intern illustrates even more clearly the clash between paradigms.

From the beginning of this scandal, Web communication competed with traditional journalistic process. When Matt Drudge, publisher of the Web-based Drudge Report, told his e-mail recipients and Web-browser audience in January 1998 that *Newsweek* had decided to sit on a story about allegations of a Presidential sex scandal (McClintick, 1998, p. 113) the newsmagazine's editors responded by dumping the story onto online publication immediately rather than waiting additional days to first publish the story in the hard copy magazine.

Here was a story developed by traditional journalists that was force-fed to the public by a Web-based gossip columnist. According to McClintick (1998), that act of Matt Drudge foreshadowed

> the role of the Internet as a new and different journalism medium—and as a catalyst of broader trends in America toward democratization and devolution of the power of big institutions, especially in the media worlds of New York and Washington. In that sense, Drudge can be seen as a modern Tom Paine, a possible precursor to millions of town criers using the Internet to invade the turf of bigfoot journalists.
>
> (p. 114)

The reporting on Clinton-Lewinsky also provided an early example of how political leaders could bypass news media. Independent Prosecutor Kenneth Starr released his report simultaneously to journalists in hard copy and to citizens by posting it on the Web. In 2006, it is not surprising that candidates for the 2008 U.S. Presidential run would hold their own Web-based voter communications and, thus, bypass journalistic gatekeepers. But, in 1998, going around the journalistic gatekeepers was highly unusual.

Giles says,

> Posting the Starr Report gave the public an unfiltered version. It did not need a journalist to sort out the lead, to provide the context, to interpret the independent counsel's conclusions. To some it was a splendid example of democracy. For journalists, it was a revealing moment. The capacity to post documents and reports on the Web gave the public a vital point of comparison … As documents and transcripts on the Web became a potential check against truthful reporting, they raise the bar in newsrooms everywhere for accuracy, balance and fairness.
>
> (2006, p. 9)

A final example from the Clinton-Lewinsky coverage illustrates how journalists staying wedded to the traditional paradigm of dutifully reporting what sources say failed to meet the journalistic responsibility of telling citizens what they need to know for self-governance. The faulty adherence to the old paradigm was more noticeable because so many of the old paradigm conventions had been violated in the reporting of the story.

On March 5, 1998, *The Washington Post* published a detailed account of President Clinton's deposition in the Paula Jones case. At the time, the deposition was sealed by court order. The *Post*'s report was not attributed, but the ultimate sources for the leak were few. The sealed deposition could have been leaked by Clinton's defense team, by Jones's lawyers, or by Ken Starr's office (Baker, 1998). *Post* reporter Peter Baker, who received and published the information, knew the source of the report. If traditional paradigm holds, at least one *Post* editor also knew the source as well or knew enough about the source to agree that the information supplied was likely to be accurate.

In the published story, the *Post* allowed each potential source to deny the leak. Clinton attorneys called the leak illegal, reprehensible, and unethical. They promised to track down the leaker's identity. Jones' lawyers said that any suggestion that they were responsible for the leak was "erroneous, reprehensible and fallacious." Independent Counsel Kenneth Starr categorically denied that his office was the direct or indirect source of the story (Baker, 1998).

However, logically, someone in the Clinton, Jones, or Starr camps was indeed responsible for the leaked information, and the *Post* reporter and editor knew the identity of that person. The printed denials were probably accurate presentations of these named source's denials, but at least one of them was false. While it was certainly important for readers to know that the various players in the case denied having leaked the information, they also needed to know who was being truthful and why *The Washington Post* knowingly allowed one or more of these sources to lie in the news columns. The citizens were not told. "[P]ure nonpartisanship, in the sense of bending over too far to seem to be fair, can mislead reporters" (Dionne, 2006, p. 37).

As late as journalistic disclosures at the perjury and obstruction of justice trial of White House official Lewis "Scooter" Libby in March 2007, journalists were being exposed for aiding governmental manipulators at the expense of serving them rather than the public. According to media columnist Tim Rutten, most of the 10 journalists who testified at the Libby trial, "had made themselves willing tools of an administration bent on discrediting a guy whose offense was to inform people about how the White House had misled the country about its reasons for invading Iraq" (Rutten, 2007, p. E16).

PROBLEMS WITH THE OLD PARADIGM AND PROBLEMS WITH THE NEW

When journalists mindlessly adhere to the traditional paradigm of news reporting, they can fail to meet social responsibilities to citizens. An objective press, which is offered as nothing but a conduit for the messages of powerful sources is a powerless press that can be exploited by those sources. McCarthy's manipulation of journalistic process, which horrified journalists and citizens in the 1950s, had morphed into an accepted method of political survival by the 1990s called *spin*. News organizations should not knowingly report falsehoods or trial balloons without labelling them as such for their readers. Allowing those with power to "spin" a story in the name of objectivity may meet the needs of sources but fails to meet the needs of citizens.

Next, under the old paradigm, students are taught to get "both sides of a story." Most stories have one side or many sides. Disasters initially have one side. A bad thing happened and people were hurt. The story here is how people have been affected by the disaster. If the story becomes one of how well individuals and social institutions are coping with the disaster, the story becomes one of multiple perspectives. Journalists must choose among the many sides to provide focus for their stories, but when they choose only two, to give a polarized either/or perspective, they lose the nuances that citizens need to understand before they can make educated decisions for self-governance.

Last of all, the old paradigm was built on the idea that journalists were expected to find external news. But, discoverable news is a myth. News is what happens when journalists choose to pay attention to some event or issue and to frame it in a certain way. This is always at the expense of other choices. Visual journalists have always known that a photograph doesn't mirror what is out there, but shows pieces of reality, selected by the brain and its filters

functioning in the photographer behind the camera. Images are given meaning by singling them out, choosing angle, composition, and frame.

Although these pillars of objectivity, two sides to the story, and external news were standards of 20th century American journalism, they more strongly reflect marketing strategies rather than ethical principles. They reflected the technological possibilities of the time and reflected news consortiums' development of an audience and advertising base larger than a community limited by geography or politics. Ultimately, they reflected news organizations' interest in cheap purchase of news products that fit the needs of every person.

But, the new paradigm has its problems as well. The pillars upon which it rests in this development phase are interactivity, multiple source perspectives, and targeted audiences.

Interactivity and multiple perspectives have resulted in what Stephen Colbert called Wikiality—the mistaken belief that open participation in providing and editing information results in truth. "The millions of bloggers who are constantly watching, fact-checking and exposing mistakes are a powerful example of 'the wisdom of crowds' being assisted by a technology that is as open and omnipresent as we are" (Naim, 2006, p. 31). Unfortunately, inter-subjective agreement does not equal truth. The crowd can be wrong.

Suspicion of corporate control of traditional news media has led some to bestow greater credibility on the independent blogger. According to journalist Hope Cristol (2002), "Readers may find blogs more credible than traditional media because blogs have no corporate interest to serve" (p. 8). But, bloggers often promote their own worldview. More troubling is that advertisers have infiltrated blogs, paying bloggers to build buzz for their clients' products (Friedman, 2007, p. C1). Despite FCC rules to the contrary, in real time, no user can be sure if what they are reading is the "true" blogger opinion regarding a movie, book, or restaurant, or whether it is a blog-ad, inserted into the script for a fee.

Careful targeting of audiences and the shaping of news product to fit the individual consumer can lead to citizens who seek information being less rather than more informed. Individuals passively take in information because it fits their comfort zone or because what they see at the top of the screen or news feed was determined by their previous purchasing or online searching. 19th century British philosopher John Stuart Mill contended that very few people really know what they think because of what we would call today "selective exposure." He says that most people

> … have never thrown themselves into the mental position of those who think differently from them, and consider what such persons may have to say; and consequently they do not, in any proper sense of the word, know the doctrine which they themselves profess.
>
> (1859/1991, pp. 42–43)

Citizens have the responsibility to seek opinions different from their own.

ESSENTIAL SHARED VALUES

Journalism, like other important social institutions draws on essential shared values for its identification. It would be easy to draw the erroneous conclusion that journalists are relativists—adherents to a philosophical theory that holds that there is no objective standard for judging right and wrong. However, journalists do hold moral standards by which they judge professional behaviour, even in the digital era. Indeed, without such standards, journalism would not be recognizable as a discrete industry (Elliott, 1988, p. 28).

Three shared values are sustained across culture and time and paradigm shifts as well:

1. Journalists should strive to publish news accounts that are balanced, accurate, relevant and complete;
2. Journalists should strive to publish those news accounts without causing preventable harm;
3. Journalists should strive to give citizens information needed for self-governance.

This final principle is the defining principle for the practice of journalism and is the only principle that justifies causing harm in the production of news stories. Because journalists must prioritize providing information that is in the public interest, if citizens truly need to have that information so that they can participate in democracy, it is justified to publish it, even if the information does cause harm to some individual or group. However, without that justification, it is wrong to harm people or vulnerable groups through publication. Publication is a tool; it should not be used as a weapon.

HOW THE NEW PARADIGM CAN REINFORCE ESSENTIAL SHARED VALUES OF THE PRESS

Technology allows for the development of a more active and engaged citizenry, so the new paradigm holds the promise of better journalism than ever. For example, the input of citizen journalists and satellite technology has expanded the coverage of newsworthy events. Noticing the importance of events is the first step toward creating news.

The presence of multiple sources and the ability of citizens to seek a variety of information provide justification for journalistic perspective. Journalists need to maintain voices that are separate from the powerful individuals and groups that would manipulate them and the pull of public opinion as well. Only journalists have the special responsibility of providing information to citizens for self-governance. Journalists are those who are motivated to sift through the mountains of information to provide citizens what they need.

The Internet offers many powerful tools for good journalism. Twitter has become an important method for sourcing ongoing news events. Video captures sent across any number of social media platforms provides data points simply not obtainable prior to the digital era. Newsassignments.net, administered by New York University professor and journalism critic, Jay Rosen (2007) is an impressive hybrid of new and old paradigm journalism. The site "tries to spark innovation in journalism by showing that open collaboration over the Internet among reporters, editors, and large groups of users can produce high-quality work that serves the public interest, holds up under scrutiny, and builds trust."

> The site uses open source methods to develop good assignments and help bring them to completion. It pays professional journalists to carry the project home and set high standards; they work closely with users who have something to contribute … It does stories that the regular news media doesn't do, can't do, wouldn't do, or already screwed up.
>
> (Rosen, 2006)

But the Web is improving journalism in less ambitious ways as well:

> In their Internet versions, most traditional news organizations make their reporters available to answer readers' questions and, often, permit readers to post their own material. Being able to see this as the advent of true democracy in what had been a media oligarchy makes it much easier to argue that Internet journalism has already achieved great things.
>
> (Lemann, 2006, p. 48)

A sign that the new paradigm has moved past its infancy is that practitioners of online journalism are articulating standards. Professional groups, such as the *Media Bloggers Association* and *Online News Association*, are establishing ethical standards, correction policies, and professional identity.

Good journalistic practice, whatever the paradigm of the moment, is that which upholds the essential shared values of the profession.

REFERENCES

American Society of Newspaper Editors (ASNE). (1923). "Code of ethics." Retrieved March 10, 2007 from http://ethics.iit.edu/codes/coe/amer.soc.newspaper.editors.1923.html

Baker, P. (1998). "New details of Clinton's jones deposition leaked." *The Washington Post*. Retrieved March 10, 2007 from http://cnn.com/ALLPOLITICS/1998/03/05/clinton.deposition/

Berkman, R. I., and Shumway, C. A. (2003). *Digital Dilemmas, Ethical Issues for Online Media Professionals*. Ames, IA: Iowa State Press.

Borden, S., and Tew, C. (2007). "The role of journalist and the performance of journalism, lessons from 'fake' news (Seriously)." *Journal of Mass Media Ethics*, 22(4), 300–314.

Calame, B. (2006a). "Breaking news: Can times quality be preserved online?" *The New York Times*, November 19. Retrieved December 30, 2006 from http://nytimes.com/2006/11/19/opinion/19pubed.html?ei=50

Carroll, J. S. (2006, April 26). *What will become of newspapers?*. Cambridge, MA: Joan Shorenstein Center on Press, Politics and Public Policy. (Speech delivered at the annual meeting of the American Society of Newspaper Editors under the title, "Last Call at the ASNE Saloon").

Cristol, H. (2002). "News in the digital age." *The Futurist*, September/October, p. 8.

Dionne, E. J. (2006). *The Making of Democracy: How the New Media and the Old Media Could Live Together Happily and Enhance Public Life*. November 16). Cambridge, MA: Joan Shorenstein Center of Press, Politics and Public Policy. (Speech delivered as the Theodore H. White Lecture at the Joan Shorenstein Center of Press, Politics and Public Policy, Kennedy School of Government, Harvard University).

Edwards, B. (2004). *Edward R. Murrow and the Birth of Broadcast Journalism*. New York: John Wiley.

Elliott, D. (1986). Foundations of press responsibility. In D. Elliott (Ed.), *Responsible Journalism* (pp. 32–44). Thousand Oaks, CA: Sage.

Elliott, D. (1988). "All is not relative: Essential shared values and the press." *Journal of Mass Media Ethics*, 3(1), 28–32.

Elliott, D., and Spence, E. H. (2018). *Ethics for a Digital Era*. Oxford: Wiley Blackwell.

Friedman, J. (2007). "Blogging for dollars raises questions of online ethics." *The Los Angeles Times*, March, 9, C1, C6..

Giles, R. (2001). Bringing news standards to the web. In L. W. Hodges (Ed.), *Ethics in Journalism* (Vol. 4, pp. 1–21). Lexington, VA: Washington and Lee University Press.

Glover, K. D., and Essl, M. (2006). "New on the web: Politics as usual." *The New York Times*, December 3, p. 13.

Jewish Virtual Library. (1944). "Report to the secretary on the acquiescence of this government in the murder of the Jews." Retrieved March 10, 2007 from www.jewishvirtuallibrary.org/jsource/Holocaust/treasrep.html,

Kovach, B., and Rosenstiel, T. (2001). *The Elements of Journalism: What Newspeople Should Know and the Public Should Expect*. New York: Three Rivers Press.

Kuhn, T. (1962). *The Structure of Scientific Revolutions*. Chicago, IL: University of Chicago Press.

Lemann, N. (2006). "Amateur hour." *The New Yorker*, August 7 & 14, pp. 44–49.

McClintick, D. (1998). "Towncrier for the new age." *Brill's Content*, November, pp. 113–127.

Mill, J. S. (1859/1991). Utilitarianism. In J. Gray (Ed.), *On liberty and Other Essays*. New York: Oxford University Press, pp. 42–43.

Naim, M. (2006). "The Youtube effect." *Los Angeles Times*, December 20, p. 31.

Rosen, J. (2006, August 19). "Welcome to newassignment.net." Retrieved March 10, 2007 from http://newassignment.net/blog/jay_rosen/

Rosen, J. (2007, March 9). "Pressthink, ghost of democracy in the media machine." Retrieved March 10, 2007 from http://journalism.nyu.edu/pubzone/weblogs/pressthink/.

Rutten, T. (2007). "Let's keep reporters from being G-Men," *Los Angeles Times*, March 10, p. E1, 16.

Stanford University. (2007). Retrieved March 29, 2007 from http://plato.stanford.edu/entries/thomas-kuhn/#3.

Take the Leap. (n.d.). "What is a paradigm shift?" Accessed July 3, 2019. https://taketheleap.com/define.html

Woodward, B., and Bernstein, C. (1974). *All the President's Men*. New York: Simon and Schuster.

4

Moral Development

A Psychological Approach to Understanding Moral Decision Making

Renita Coleman and Lee Wilkins

INTRODUCTION

Research on moral development attempts to respond to the following question: how is it that people grow morally, and what influences the development of a moral life? Moral development research makes some important assumptions that are seldom addressed in the literature but which are nonetheless central to it:

- All human beings have the capacity for moral thinking.
- Moral thinking is linked to experience. While philosophers have contributed enormously to a thoroughgoing analysis of the implications of choice within experience, no legitimate ethical theory divorces human action, and hence experience, from moral thinking, learning and growth.
- Moral thinking can be both general and particular. There are general moral questions—is it right to lie or to kill—to which all human beings have a response. But, there are particular elaborations of moral questions—is it ever appropriate for a journalist to deceive a source who is attempting to deceive the journalist—to which professionals must respond within a particular context.

This chapter will briefly review the general understandings of the field, place our research within that context, and then suggest potential paths for additional empirical and theoretical work.

THEORETICAL BUILDING BLOCKS

The Swiss psychologist Jean Piaget is considered the field's founder in terms of both research results and approach. Piaget was particularly interested in how children put their cognitive worlds in order. He researched and wrote the book *The Moral Judgment of the Child* (Piaget, 1965) just after he had written a book on how children understand causality. In the subsequent work, Piaget was particularly concerned with the following questions:

1. How is it that children understand the moral "rules" of behavior with their peers;
2. Where do the "rules" come from;
3. How, and under what circumstances, can the rules be changed.

Piaget answered these questions with a qualitative study of children playing in their natural environment. He watched and interviewed young boys as they played marbles. The interviews were designed to elicit the boys' understanding of the moral rules as well as their "consciousness" of the rules themselves. The use of the concept of autonomy in Piaget's work is significant for philosophy as well as psychology. Philosophers assert that ethical thinking and action begins with the ability to make an autonomous choice. How such autonomy develops, and how it is bounded by life experience as well as cultural constraint, has significant implications for the fields of both psychology and philosophy.

The boys who played marbles ranged in age from 5 to 12, and Piaget found that their understanding of the moral rules changed according to a predictable, and predictably more sophisticated, pattern—hence, the term moral "development." The very youngest children, age 2, put the marbles in their mouths, a kind of motor exploration every parent will recognize but with little moral import. Piaget called it *motor and individual*. As the children aged, this highly idiosyncratic play became both routinized and ritualized. By age 5, the children moved into the egocentric stage, where the rules were regarded as immutable and originating from authority figures. Boys in the 5- to 6-year-old-range didn't really play together; they engaged in what psychologists today call parallel play. By ages 7 to 8, two important changes occurred. First, the boys actually played together and they moved into what Piaget called *the stage of incipient cooperation*. At this stage, the boys, in separate interviews, would give very different accounts of the actual rules, but they regarded these disparate rules as immutable, emanating from authority figures, and applicable to everyone in all instances—no exceptions. Finally, at about age 9 to 10, the boys entered the stage of the *codification of the rules*. At this stage, the boys gave the same account of the rules. These boys had internalized the rules and understood that they could change them—providing those changes were consistent with the reasons behind the rules themselves. Changing the rules summoned both moral autonomy and moral imagination. Philosophers would recognize some of the changes the boys instituted as reflecting an understanding of distributive justice (Rawls, 1971), and a grasp of the need for the universal application of principle.

While Piaget (1965) did his work on children, the applicability of his insights to adult moral behavior is straightforward. Adults sometimes do ethically questionable things (driving a car very fast just for the experience of speed) to see "what it would feel like." Cooperation is the work of adult life—in families and on the job. Adults placed in novel situations—first-time parents, college graduates at the start of a career—often search for the "rule book" as a way of guiding themselves through a bewildering set of options and unanticipated need for decisions. Comfort, experience, and good cognitive skills ultimately allow most adults to internalize some universal understandings—even if those understandings are unevenly and irregularly applied. Adult life mirrors the moral judgments of the child in often uncanny and insightful ways.

Piaget's work stood for more than two decades before psychoanalyst Erik Erikson (Erikson, 1950/1963) expanded on it. Erikson's work will be dealt with in more depth later in this chapter, but it is important to note that Erikson focused on the entire adult life cycle, not just childhood. Furthermore, Erikson postulated that each stage of moral development depended to an important degree on how the issues raised in previous stages had been resolved. Based on the work of these two psychologists, scholars accepted that moral development was both sequential and hierarchical.

While many scholars have contributed to the theory of moral development, it is Harvard psychologist Lawrence Kohlberg's six stages of moral development that is one of the most widely used today. Kohlberg (1981, 1984), who tested Piaget's framework on undergraduate men at Harvard, proposed that these stages reflect progressively higher quality ethical reasoning, based on principles of ethical philosophy, with the higher the stage the better the reasoning. His theory rests on the assumption that some reasons used to decide ethical quandaries are better than others; good ethical thinking is not relativistic. He said that some reasons for choosing a course of action represent more comprehensive, coherent, elaborated or developed ideas, and described the course of moral development as evolving from simpler ideas to more complex ones (Rest, Narvaez, Bebeau, and Thoma, 1999a).

Kohlberg also intended for his theory to be applied to society, that is, to laws, roles, institutions, and general practices, rather than to personal, face-to-face relationships (Rest et al., 1999a). This type of macro-morality addresses relations between strangers, competitors, diverse ethnic groups, and religions, not just the micro-morality of family, friends, neighbors, and acquaintances. His is a psychologically-based theory of social justice—a society-wide system of cooperation among strangers, not only friends.

Kohlberg theorized that people progress through the six stages in hierarchical linear fashion with no slipping backward. People are fully "in" one stage or another, and move up the staircase one step at a time.

These hard stages based on a staircase metaphor have since been modified by a group of scholars known as Neo-Kohlbergians to reflect a softer model based on the concept of schematic thinking (Giammarco, 2016; Rest et al., 1999a). Schemas, which are expectations about the ways events usually unfold, are developed through previous interactions (Fiske & Taylor, 1984). People hold schemas for ethical problems that they use when making decisions about new dilemmas (Rest et al., 1999a). Schemas activate understandings from long-term memory to help people process new information; moral schemas are activated from long-term memory to help people understand and process information that arises from new ethical problems. That is, if a person has acquired the highest quality schema, it will be activated; otherwise, less developed schemas are used. In this model, people can reason using multiple stages at one time. They can regress and use lower stages at the same time they use the higher ones; however, generally, people will show more propensity to use the higher stages more often as they grow and develop.

Kohlberg's six stages were divided into three broad levels—Preconventional, Conventional, and Postconventional, which correspond to the Neo-Kohlbergians model of three schemas, but with slightly different names. See Table 4.1.

The **Preconventional** stage, now called the *Personal Interest* schema, is defined by rules that are delivered by authority and are inviolable; breaking rules results in punishment, and adherence to rules is either to avoid punishment or gain rewards. In this stage, people are concerned with their own welfare. Acts that provide satisfaction to the self and others are "right," but others are considered only when their needs are in line with one's own. This level of moral development is defined by simple, self-interested obedience to the rules—following the rules primarily when it is in one's own interest to do so. People who use the personal interest schema make moral decisions based on reasons that emphasize self-interest and punishment for wrongdoing. In the latter half of this stage or schema, reciprocity and fairness begin to emerge in a self-serving way, for example, children would agree to give others a birthday present because they believe that others will reciprocate on their birthday.

The second stage of **Conventional** reasoning, now renamed the *Maintaining Norms* schema, is where rules begin to be respected for their own sake and are eventually seen as serving society. Rules are necessary for maintaining social order and can be changed if all agree. This category is

defined by conformity to the expectations of society. Helping others and gaining their approval drive an individual's actions. At this level, one's moral reasoning is dominated by "doing one's duty" and maintaining social order for its own sake. Authority here is vested in the social group(s) to which the individual belongs. The notion of social systems, or doing what is expected to maintain social order, is paramount, as is conformity, or doing what other people expect. Thinking at this stage acknowledges the role of duty. Research suggests that most people operate at this level of moral development most of the time (Kohlberg, 1981, 1984).

Kohlberg's highest stage, the **Postconventional**, is still called *Postconventional* in the schema model. In this stage, Kohlberg relied heavily on Rawls' (1971) concept of justice from an original position behind a "veil of ignorance." When decision-makers do their reasoning behind a veil where they are ignorant of their own station in life as well as that of others, all people will be treated equally and as ends in themselves. This ensures the use of universal principles that all would agree to uphold, even if they did not benefit the person making the decision. Kohlberg referred to this as "moral musical chairs."

In the Postconventional stage or schema, laws and rules are respected only so far as they appeal to universal ethical principles; rules are the result of intellectual reasoning and they should achieve full reciprocity; that is, the rules themselves should not favor one group over another. Right and wrong, and the value of rules and law, are determined by their appeal to mutuality and universality. Individual principles of conscience define morality at this level. People who use this schema are concerned about the reason for the rules and are willing to challenge both social norms and self-interest for a more universal understanding. For example, a journalist operating at this stage of moral development would agree to withhold publishing a photograph in order to protect a person's privacy—even though publishing the photograph might attract more readers. At this level, there is an awareness of the process by which rules are arrived at as well as the content of the rules. People are aware of concepts such as a social contract that demands citizens uphold laws even if they are not in an individual's best interest, and it includes an understanding that some rights are beyond debate, for example, life and liberty. Those at this stage internalize such principles and apply them even-handedly.

The following example distinguishes between thinking at the *Conventional* level and the *Postconventional* level: in the 1960s, Martin Luther King, Jr., deliberately marched, sat, and ate in places that were illegal for African Americans to be in during that time. George Wallace, the governor of Alabama, had King jailed for breaking these laws. According to Conventional or Maintaining Norms reasoning, King would be ethically wrong and Wallace right. But Postconventional reasoning would determine that King was in the right because the laws he was defying were unjust; they singled out specific people rather than treating all people equally, thus they did not represent universal principles.

Kohlberg's concept of moral development was challenged by Carol Gilligan (1982), a former student of Kohlberg's who argued that women develop differently from men, placing more emphasis on caring for others. Kohlberg's formulation focused on rights and justice, and was criticized by Gilligan (1982) because women systematically scored lower than men on Kohlberg's test. Her study of women making moral choices about abortion uncovered the idea that moral weight should be given to caring for others. She suggested the moral adult was the person who could reason about both rights and connections or relationships to others. Although Kohlberg had specified his theory was to be applied to macro issues rather than micro ones, he revised his framework to include an ethic of care along with his rights-based reasoning; since then, women and men have done about the same on tests of this theory such as the Defining Issues Test (Thoma, 1986).

TABLE 4.1
Stages/Schemas of Moral Development and Sample Statements

Stage	Description	Sample statements from PR and journalism dilemmas
Preconventional/ personal interest	Avoid punishment, gain rewards. Doesn't consider the interests of others.	Keeping quiet would help my firm's bottom line. A chance like this photo comes only a few times in a career.
Conventional/ maintaining norms	Belief in the Golden Rule. Living up to what is expected by others. Desire to maintain rules and authority, uphold laws. Right is contributing to society, group, or institution.	Whether a community's laws are going to be upheld. Whether the public has a right to know all the facts about drug use and its effects on people, especially children. It's what my client wants.
Postconventional	Concern that laws be based on rational calculation of overall good. Recognizes moral and legal points of view sometimes conflict. Laws are valid when they rest on universal principles of justice. People are ends in themselves and must be treated as such.	What would best serve society? If I don't run this photo, the conditions leading to situations like theirs will persist.

THE DEFINING ISSUES TEST—HOW IT WORKS

Another student of Kohlberg's who extended his work in important ways was James Rest. He applied the concept of moral development specifically to the professions, starting with nurses and including veterinarians, doctors, dentists, and social workers, among others. Rest and the other Neo-Kohlbergians also proposed a theoretical framework needed to produce moral behavior, called the Four Component Model. It consists of *moral sensitivity*, which is the ability to recognize that a situation is a moral issue; *moral judgment*, or the ability to determine morally acceptable options, which is the focus of most moral development research; *moral motivation*, or the ability to compel oneself to do the right thing; and *moral character*, or the long-term ability to behave in a moral fashion (Cruzer, 2014; Rest et al., 1999a). This idea has been expanded to become a dual process theory of moral development (Greene, 2007).

Most importantly, Rest and his colleagues devised a paper-and-pencil instrument called the Defining Issues Test, or DIT, that was faster and easier to administer and score than Kohlberg's Moral Judgment Inventory, which used in-depth interviews and an 800-page code book to score each thought's stage (Rest & Narvaez, 1998). Since the original six-scenario DIT, a newer version with five, updated scenarios called the DIT-2 has been developed (Giammarco, 2016; Rest, Narvaez, Thoma, & Bebeau, 1999b).

We take a moment here to note that it is not our intention to suggest that the DIT is the only legitimate way to conduct morality research. There are many good instruments and approaches, such as Moral Foundation Theory (Haidt & Graham, 2007; Haidt & Joseph, 2004). However, the DIT has been in use since the 1970s and more than 1,000 studies of literally hundreds of thousands of people in more than 40 countries allow us much comparative data and confidence. It is important to note that the DIT is copyrighted; while we refer to the instrument, we do not quote directly from it but only from our modifications to it.

Basically, the DIT poses six ethical dilemmas—the DIT-2 uses five—and asks respondents to make a decision about what they would do, for example, would you report to police a neighbor who has been a model citizen for 10 years but turns out to have escaped from prison a decade ago? The answers participants can choose from are rather limited—turn him in, don't turn him in, or can't decide. For the purposes of assessing one's level of moral development, this behavioral choice is less important than the other tasks on the DIT (Rest et al., 1999a).[1] In fact, because the DIT uses *true* moral dilemmas rather than ethical no-brainers, there is no one "right" choice; an equally good case may be made for either course of action. The idea behind the DIT is to assess the level of moral development a person draws from to justify his or her course of action. For example, someone who decides to turn the prisoner in because the laws says that is the right thing to do is reasoning at the Conventional level. Yet another person who makes the exact same choice but does so because she believes that is what is best for society is using the Postconventional level. While there may not be one "right" course of action, some reasons for it are better than others.

More than 400 published studies using the DIT have established its validity and generalizability. It correlates highly (up to $r = .78$) with other tests of ethical reasoning and developmental measures, and has been shown to measure moral development, not intelligence, education, verbal ability, or some other construct. Test-retest reliability is in the .80s using Cronbach's *alpha* for internal reliability. It contains built-in checks to assure that participants are not randomly giving high ratings to statements that sound important but which have little meaning for them; in other words, trying to fake high. There also is a consistency check that ensures the statements ranked highest also are rated highest. The DIT is a projective instrument; that is, participants know they are taking an "ethics test," but they cannot tell which answers are better than others unless they have developed schemas at those levels. Finally, the DIT has been linked to measures of ethical behavior such as cheating on tests, prosocial behavior, professional decision-making, and job performance (Rest et al., 1999a); in other words, it doesn't just measure what people *say* they would do, but correlates with what they would be likely to *actually* do.

Of course, there are limitations to the DIT, only one of which will be discussed here; for more information see Rest et al. (1999a). First, in scoring the level of moral development, the original DIT gives "credit" only for statements at the highest stage of moral judgment, not for reasoning at the Conventional stage. This is because the DIT is designed to measure the relative importance that a person gives to principled moral thinking, and is not interested in lower stage thinking.[2]

While the DIT measures ways of thinking, its connection to philosophy is clear. Universal principles and their application result in higher scores. In addition, because the DIT was based on Kohlberg's work initially, universal principles that emphasize "rights" constitute the original conception of the postconventional schema.

MAJOR PREDICTORS

Much research on moral development is concerned with discovering the differences among individuals that are the major predictors of higher levels of moral development. In this section, we focus on four of the most consistent predictors correlated with higher moral development, and one individual characteristic that is *not* a predictor but is connected to this topic anyway.

Any theory that claims to be "developmental" implies that people change as they age. In the case of moral development theory, the higher the age, the higher the quality of moral reasoning used. Thus, age and education are the primary determinants of moral development (Rest,

1993). Longitudinal studies have found stage progression as predicted by the theory from high school into adulthood (White, Bushnell, & Regnemer, 1978) and moral development levels off when formal education stops (Rest, 1979). The two are obviously correlated—one cannot usually achieve high levels of education at an early age—yet age and education are not the same thing. Advanced age alone does not guarantee high levels of education, and education is a more powerful predictor of moral development. One scholar who focused on delineating what it is about age that fostered moral development found the best predictors were when people's life experiences involved intellectual stimulation or supported learning, or included a rich social environment in the form of a stimulating spouse, friends, and institutional affiliations (Deemer, 1989). Like age, education involves more than mere time spent in classrooms. Multiple possibilities help explain why education improves moral development. For example, college aims to develop critical thinking skills and professors are always asking students to explain why, give evidence for opinions, and think for themselves. The social experience of college exposes students to diversity of facts, ideas, people, and cultures. Alternatively, it could be that the people who choose to go to college are more interested in their own development, and college stimulates that (Rest et al., 1999a). Kohlberg (1976) thought it was the process of learning to see things from other people's points of view that provided the key to growth in moral judgment.

Although age and education are the strongest predictors of the DIT's moral development measure known as the P score (the DIT-2 measure is called the N2 score), "the most striking finding from the literature … is the consistent relationship between DIT P scores and religious beliefs" (Rest, Thoma, Moon, & Getz, 1986, p. 131). Consistently, and perhaps counterintuitively, more fundamental or conservative religious beliefs are correlated with lower levels of moral development in numerous studies (Lawrence, 1978; Parker, 1990; Rest, 1979, 1983, 1986). We wish to point out up front that it is religious *fundamentalism* that is implicated here—the literal interpretation of religious texts such as the Bible or Koran and rigid adherence to those principles, often with intolerance of other views—*not* one's religious affiliation or the strength of one's religious devotion. Some scholars theorize that a higher ethical orientation requires critical and evaluative reasoning that may be opposed to fundamental religious beliefs (Parker, 1990). If orthodox religions teach that it is improper and sinful to question, critique, or scrutinize the church or a divine authority, then people find it harder to move out of the conventional stage of reasoning. Fundamentalist ideologies that prescribe laws or norms and make them binding upon people without question are understood in terms of maintaining norms schemas; divine authority is outside the bounds of human scrutiny or understanding. In one study (Lawrence, 1978), radically fundamental seminarians who could understand Postconventional concepts did not use them in making moral decisions. They explained that they were setting aside their own intuitions about what was fair because as mortals, their judgment was fallible. Instead, they turned to religious teachings to tell them what to do. Similarly, other scholars (Glock & Stark, 1996) found that orthodox Christian beliefs were highly correlated with social intolerance, and yet another (Ellis, 1986) concluded that extreme religiosity leads to a greater disregard for the rights of others.

The DIT creators reject the idea that they or Kohlberg, his theory, or the DIT, are antireligious. Indeed, religious directives from transcendent authorities that are incorporated into life experience and therefore not beyond human understanding are Postconventional: "Many people of faith have a Postconventional understanding of their religion and its moral meaning for their lives" (Rest et al., 1999a, p. 123). Even Kohlberg wrote that religious beliefs influence moral thinking in powerful ways (Kohlberg & Power, 1981), and offered statements about religious beliefs that represented postconventional thinking (e.g., God is the force behind a just society and autonomous personhood; religious faith affirms a person's desire to lead a moral life). This stance is entirely consistent with many contemporary ethical theorists and some ancient ones as well.

The final powerful predictor of moral development is political ideology. Typically, conservative attitudes are more supportive of authority and established practices, which describes the Conventional level of moral development. Political positions that encourage freedom of thought are more attuned to Postconventional thinking. In DIT studies, self-reported conservatives tend to prefer Conventional statements, and self-reported liberals tend to like Postconventional items.

The DIT creators say that it is natural for political ideology to mirror moral development because political attitudes represent ideas about how people should relate to each other in society; moral judgment also concerns itself with how people should get along in macro situations. In politics, people make decisions about how to relate to others in a larger sense, through laws, institutions, and general practices. Political choices involve choosing how a law or policy affects everyone in society and how society should work generally. Political attitudes mirror the DIT's macro-morality by focusing on what principles should govern us all. The conservative/liberal scale in political ideology is independent of a particular party—one can be a conservative Democrat or a liberal Democrat, just as one can be a conservative or liberal Republican. Also like the religiosity measure, discriminant validity studies have shown that the DIT is not simply a measure of liberal political attitudes. Both conservative and liberal positions can be staged at Postconventional levels.

Finally, we want to briefly address a common misunderstanding of moral development theory—namely that the work of one scholar "disproves" the work of another. One of the most frequent comments we hear about the field is that Gilligan's work disproved Kohlberg's theory. Her book, *In a Different Voice* (Gilligan, 1982), argued that Kohlberg's theory was biased against women, who preferred to use an ethic of caring for others rather than a justice orientation. She interviewed women who were facing a personal ethical dilemma—whether to have an abortion. Even though Kohlberg had devised his theory to explain moral reasoning in social situations rather than individual ones such as the abortion question Gilligan studied, he made changes in his theory and instrument to incorporate the ethic of care, or what he called benevolence, in the highest stage of development. When Rest and colleagues developed the DIT, they included women in their samples and that instrument has not shown any significant gender bias. Reviews of DIT studies show 90 percent of them find no gender differences (Rest, 1979; Thoma, 1986). When differences are found, it is usually women who score higher, not men (e.g., Auger & Gee, 2016). Nevertheless, this belief that Kohlberg is obsolete thanks to Gilligan is an enduring one that persists despite much evidence to the contrary.

JOURNALISTS AND OTHERS IN MASS COMMUNICATION

The original DIT scholars focused their research on professions with a large moral component including nurses, doctors, dentists, and accountants. They suggest the DIT is especially good at measuring decision-making in uncertain situations. Even though journalism is not technically a profession in the sense that its members are licensed and regulated by independent review boards, the DIT creators include journalism in this category, calling it an "emerging profession" (Rest & Narvaez, 1994, p. xi). We agree; as former professional journalists we are well acquainted with having to make decisions without full information about situations that have no one right answer, or even any good ones. To our knowledge, the first study of journalists using the DIT was a dissertation in 1995 (Westbrook, 1995), which was excerpted for a chapter in Rest and colleagues' book on moral development in the professions (Rest & Narvaez, 1994). Nor were we aware of any further research on these professionals with the DIT until our own pilot study of 72 journalists seven years later (Coleman & Wilkins, 2002). Since then, we and others have completed more research on this important group of professionals.

Our pilot study of 72 journalists showed that they scored fourth highest among all professionals tested with the DIT. The journalists ranked behind seminarians/philosophers, medical students, and physicians, but above dental students, nurses, graduate students, undergraduate college students, veterinary students, and adults in general. The mean P score for the journalists in the first study was 48.l7; this is in comparison with the average adult's P score of 40 (for comparison with other professions, see Table 4.2). In order to have confidence in results, social scientists look to replication. So, it was encouraging that the P score of our journalists was virtually the same as the P scores of the 66 journalists in Westbrook's study—48.1. And, furthermore, that our later study of 249 journalists whose news organizations were randomly sampled from around the country was again nearly the same, with a mean P score of 48.68. Larger samples typically produce higher scores, so this slightly (but not statistically significant) higher number is to be expected. In all these studies, journalists scored higher than three groups whose members had higher education levels than the average journalist—dental, veterinary, and graduate students. Recall that education is consistently the best predictor of moral development; as education goes up, so does the mean P score. Yet, these journalists had, on average, a four-year college education, while dental, veterinary, and graduate students have one to two years more education.

More recent studies have extended these findings. Plaisance (2014) used our two journalism scenarios with the DIT and found a P score of 51.62 for journalists identified as "exemplars," or those who were identified as highly ethical by their peers.

Our study of 118 public relations professionals around the country showed they fared similarly to the journalists (Coleman & Wilkins, 2009). The mean P score was 46.2, which puts the PR professionals in seventh place, just below journalists, dental students, and nurses. Plaisance (2014) found an even higher score—50.38—for public relations practitioners identified as exemplars, using our two PR-specific dilemmas with the DIT. Although our study randomly sampled PR firms around the country, it is by no means the definitive word on the moral development of public relations professionals; cumulative results obtained through replication would give us more confidence.

We issue similar caveats when interpreting the results of a non-random, web-based study of 65 advertising professionals (Cunningham, 2005). The advertisers who responded in this study showed considerably lower levels of moral development than the journalists or public relations professionals—their mean P score was 31.64, also well below the average P score of 40 for adults in general. They were more similar to the scores of people working in various businesses than other professions. Part of an explanation for this poor showing is the scores on the two advertising-focused dilemmas; the mean P score of 22.7 on these two dilemmas actually pulled down their score on the other dilemmas—more on that later.

In all these studies, we also looked for significant predictors of higher levels of moral development. What we found was somewhat consistent with the larger literature, but not on all counts. Religiosity was consistently a predictor of the P score. In both our pilot study and a larger, random sample of journalists, religion was significantly and negatively correlated with these journalists' P scores. In both studies, journalists who said they were more liberal in their beliefs were significantly more likely to score higher than were the religious fundamentalists. Religious fundamentalism had the same negative effect on the public relations professionals' P scores. In that study, we also teased out the difference between fundamentalism and depth of one's religious conviction by including the question: "How religious are you, extremely to not at all?" While those who said they held fundamentalist views showed significantly lower levels of ethical reasoning, those who said they were deeply religious did not show any differences in P scores from the less religious. The advertising study did not ask questions about religion.

Political ideology behaved as it has in other studies only in the study of public relations professionals; in this group, those who rated their political views as more liberal were significantly

likely to have higher P scores. This effect did not hold for either study of journalists; advertisers were not asked about their political views.

Surprisingly, age and education were not the major predictors of ethical development in our four studies that they are traditionally. Education approached significance ($p = .06$) in the large sample study of journalists, but not the smaller study of journalists, or the ones of PR professionals and advertisers. We surmise this may have something to do with a lack of variance in education. When the education range is expanded by comparing studies of students to working professionals, we see a sizable difference in scores; for example, journalism and public relations students average a P score of 31.18 in one study (Cabot, 2005), compared to PR professionals' average P score of 46.2 (Coleman & Wilkins, 2009) and journalism professionals' average P score of 48.17 (Coleman & Wilkins, 2004). Whether this was because of education, experience, or something else is unclear. Nor are these differences tested with statistical techniques because they come from different datasets. We have no explanation for the lack of an effect of age considering these respondents ranged from 18 to 75.

Not surprisingly, gender was again not significant in any of the four studies. We also found there were no differences in ethical reasoning abilities between broadcasters and print journalists in either journalism study, although those who had done investigative reporting had significantly higher P scores than those who had not. Various other factors that we studied were significant predictors of better moral judgment, and we invite those interested to read the entire studies (Coleman & Wilkins, 2002, 2004, 2009; Cunningham, 2005; Wilkins & Coleman, 2005, 2006).

One common feature of the studies cited above is the use of domain-specific dilemmas. The DIT creators were adamant for years that the dilemmas should remain the same in order to complete a comparable cycle of research. However, after they devised new dilemmas of their own for a second version of the DIT, called the DIT-2, they began to encourage experimentation with new dilemmas in new formats (Rest et al., 1999b), adding that domain-specific stories can be more predictive of behavior (Rest & Narvaez, 1984). Our four studies reviewed here took advantage of that by including two dilemmas specific to journalism, public relations, and advertising. This allowed comparison between the domain-specific dilemmas and the more general dilemmas on the original DIT. This allowed us to test the idea that professionals may use more sophisticated reasoning in areas where they have expertise, and less sophisticated in other areas where they do not (Cruzer, 2014).

In the two journalism studies and the PR study, we found what the DIT theorists predicted— that expertise in an area leads to high quality moral judgment[3] about those topics (Rest et al., 1999a). In both studies of journalists, the respondents had significantly higher mean P scores for the journalism dilemmas than for the non-journalism dilemmas. The same was true of the PR professionals. The advertising practitioners, however, showed exactly the *opposite* results; their scores on the two advertising dilemmas were actually significantly *lower* than their scores on the non-advertising dilemmas. Using other data they supplied, Cunningham (2005) theorized that these advertising practitioners were able to reason at a higher level, but suspended that ability when the issues were about advertising and focused instead on financial concerns for themselves, their clients, and agencies. Disturbingly, having worked in the advertising industry longer was significantly predictive of lower levels of moral judgment; thus, industry socialization seems to privilege self-serving financial concerns over more universal, social ones.

OTHER INFLUENCES ON MORAL THINKING

Another approach to the study of moral judgment has been to devise controlled experiments to see what sorts of interventions or manipulations can help improve people's ethical reasoning. We also have conducted a few experiments on journalists in that vein. Most typically, researchers

look to educational interventions such as ethics courses (e.g., Auger & Gee, 2016) or internships (Craig & Oja, 2013); we began by examining two different influences that can be found in professional environments, not just college settings—race and the presence of photographs.

For these studies, we created an instrument we call the JERI, or Journalists' Ethical Reasoning Instrument. It works similarly to the DIT, but uses only four dilemmas and thus cannot gauge a person's overall level of moral *development*; instead, it assesses moral *judgment* in one particular domain, journalism. Additionally, the scores from the four dilemmas are calculated differently and are not interpreted the same way as the six scores of the DIT or the five scores of the N2. (Contact authors for more information on scoring or copies of the JERI.)

In two studies of the effects of race on moral judgment, we found that White journalism majors were significantly more likely to use lower quality reasons when the story subjects were Black than when they were White (Coleman, 2003), but that Black journalism majors were not (Coleman, 2011a). The Black future journalists showed the same level of judgment regardless of the race of the story subjects. The finding was replicated with professional Black journalists (Coleman, 2011b). This study also expanded the range of minority professional journalists studied, and found that neither Asian American nor Hispanic professional journalists showed significantly different levels of moral judgment for either their own or the other racial out-group (Coleman, 2011b). This suggests that in-group and social identity theories that have traditionally studied only Whites, do not apply the same way to the moral judgment processes of minorities. This study recommends future research to look for the mechanisms that mitigate this bias, suggesting personal experience with prejudice could be a factor.

In these studies, we found that the presence of a picture of the people in the dilemma significantly improved participants' moral judgment (Coleman, 2007). The experiments identified thinking about the people affected by an ethical situation as important in the process (Coleman, 2007). Visualizing stakeholders is an important component of classical ethical theory, particularly in distributive justice and in many conceptualizations of duty. Providing ethical decision-makers with visual information may well evoke these more universal principles, something that has implications for media professionals and members of other professions as well. However, that visual information must be of a particular type—still photographs and not moving images that journalists use in broadcast and increasingly in web video. In a study designed to compare changes in audiences' moral judgment when viewing still photographs, video shown once as on TV, or video shown multiple times as can be done with the Internet, moral judgment was significantly lower when audiences viewed video shown once compared to when they saw a still photograph (Meader, Knight, Coleman, & Wilkins, 2015). This study also contributed to the mounting evidence that photographs can provide a bump to moral reasoning (Coleman, 2003, 2006, 2011a). The studies suggest that when issues in the news are ethically charged, such as in shootings where race is a factor, that even broadcast and web-based journalists use still images rather than or in addition to video to help audiences reason at higher ethical levels.

However, it is not always the case that photographs improve moral judgment; in one study comparing vivid writing to photographs in the public relations context, photographs had no effect, although they did increase participants' perception of the issue as morally important (McEntee, Coleman, & Yaschur, 2017). The authors speculate that the negative photographs in PR material were unexpected to audiences more accustomed to positive images in that context, leading to more evidence of the importance of domain.

Finally, one study explored the common perception among journalists that they treat children with greater ethical sensitivity than adults (Coleman, 2011c). In their self-reports, journalists said they were significantly more concerned with protecting children's privacy, avoiding harm, and ensuring they understood the consequences of news coverage. However, when it came to following through in deeds, they did not withhold children's photos significantly more than

TABLE 4.2
Mean P Scores of Various Professions

Seminarians/philosophers	65.1
Medical students	50.2
Practicing physicians	49.2
Journalists	48.1 to 48.68
Dental students	47.6
Public relations professionals	46.2
Nurses	46.3
Lawyers	46
Graduate students	44.9
Undergraduate students	43.2
Pharmacy students	42.8
Veterinary students	42.2
Navy enlisted men	41.6
Orthopedic surgeons	41
Adults in general	40
Business professionals	38.13
Accounting undergraduates	34.8
Accounting auditors	32.5
Business students	31.35 to 37.4
Advertising professionals	31.64
Public relations students	31.18
High school students	31
Prison inmates	23.7
Junior high students	20

Source: Compiled by the authors from individual published studies and data
supplied by the Center for the Study of Ethical Development.

adults, nor did they use significantly higher levels of moral judgment for children than adults. As many researchers know, there can be a disconnect between what people think they do and what they actually do when making ethical decisions. This makes it all the more important that research continue into influences on moral judgment.

DIRECTIONS FOR FUTURE RESEARCH: THE COMPONENTS OF MORAL THINKING

News increasingly crosses borders and media content is more and more produced for international audiences and by journalists who realize their work speaks to a worldwide audience. Thus, the study of professional moral development needs to be conducted on non-U.S. journalists, as well. This effort will allow scholars to begin to understand the impact of culture—not just newsroom culture but also history and country—on journalistic decision-making. Philosophically, if some ethical understandings do appear to be universal, and if some patterns of thought cross the boundaries of nation-state, then this evidence becomes central to the nascent search for universal norms and understandings (Christians, 2002; Gert, 1988). Culture certainly should make some

difference, and there is preliminary work in the field to suggest it is a difference of emphasis rather than quality and kind (Rao & Lee, 2005). For example, Baek (2002) identified some cultural concepts not accounted for by Kohlberg in Korean children. However, Gibbs, Basinger, Grime, and Snarey (2007) reviewed 75 studies and found cross-cultural convergence on moral values and moral development stage development. But more systematic work, and work that can be comparative without being colonial or invasive, would add considerable depth to the contemporary understandings in the field.

The existing literature of moral development has relied extensively on the psychological literature of intellectual development. In addition, much of the literature on moral growth focuses on children (e.g., Piaget) or adolescents and undergraduate college students (Perry, 1970). Relatively few studies have examined moral development throughout the first four decades of the human life span (Levinson, 1986) or moral development in people past the age of 35 to 40 (Belenky, 1986; Gilligan, 1982). Only Levinson's work devotes much attention to the impact of work on development, and in that study, work was emphasized as marking some sorts of moral growth rather than as an influence on that growth. The same is true of *Women's Ways of Knowing* (Belenky, 1986).

Only Erikson (Erikson, 1950/1963) has provided any sort of theoretical map of the links between moral growth and individual development from birth to extreme old age. That theory is linked with life experience in general, and only at certain times focuses on specific actions; for example, the ability to establish and maintain adult, intimate relationships. However, Erikson's theory also establishes a profoundly influential place for the environment, in his words the society into which human beings are born and function. Erikson provides some tantalizing suggestions about what sort of external influences may spur moral adult development and growth. He notes,

> We must expand our scope to include the study of the way in which societies lighten the inescapable conflicts of childhood with a promise of some security, identity, and integrity. In thus reinforcing the values by which the ego exists…societies create the only condition under which human growth is possible…. Yet, political, economic and technical elites, wherever they have accepted the obligation to perfect a new style of living at a logical point in history, have provided men with a high sense of identity and have inspired them to reach new levels of civilization.
>
> (Erikson, 1950/1963, pp. 277–278)

Because Erikson is first and foremost a psychoanalyst, his theory places the individual first and links individual development with specific "crises" that all human beings must surmount. But, another group of psychologists—without the lens of Freudian psychoanalysis—have come to remarkably similar conclusions. When Gardner, Csikszentmihalyi, and Damon (2001) note that journalism is a profession profoundly out of joint with itself, they also summon notions of identity, roles, and professionals goals as they are influenced by the world of work in which contemporary people spend so much of their adult lives. By interviewing professionals "at the top of their game," Gardner and colleagues assured themselves of a sample with both professional vision and the professional career informed by life experience to reflect upon it. As their book demonstrates, these journalists worked and yearned for a profession that was reconnected to its nurturance and sustenance of political society, specifically contemporary democracy. They saw themselves as reflecting that connection but stymied by the powerful economic factors currently influencing media organizations. Authentic alignment, in their terms, meant creating new institutions, expanding the functions of, reconfiguring membership in, and reaffirming the values of existing institutions, and taking personal stands (pp. 212–218.)

These suggestions are not so far removed from the final four stages of Erikson's adult moral development. Future research should investigate the specific impact of work on moral

growth—specifically professional moral development. In addition, understanding moral growth may encourage philosophical work. For example, the ethics of care in the psychological literature has generally been separated from classical ethical theory. However, by an in-depth evaluation of the moral growth of professionals, as well as analyzing their individual moral choices, how professionals connect philosophical concepts such as care and duty have remained separated in the academic literature (Wilkins, 2010).

One future challenge of moral development research is to tease out the areas of the world of work that can promote or retard moral growth in a professional context. Empirical work, of course, would follow.

NOTES

1. The DIT is scored as follows: Participants rank 12 issues statements according to how important each one is in making a decision. The statements represent the different stages of schemas that make up the categories developed by Kohlberg as modified by Rest. Participants have five options—from not important to very important—on each statement, the presumption being that if a person has developed a particular schema, say the conventional schema, the participant will rank statements from that stage higher than statements at other stages. The final task is for participants to consider all 12 statements and rank only the top 4 of them in order of importance in decision-making. This ranking forms the basis of the P score—a number which reflects the relative importance the person gave only to Postconventional statements.
2. The developers of the DIT spent 20 years trying to develop an alternative scoring system that would eliminate "throwing away data," that is, the lower stage items. The P score survived because it consistently gave better trends for the theoretically expected findings, and was relatively easy to compute and interpret (see Rest, Thoma, Narvaez, & Bebeau, 1997).
3. It takes the full five to six dilemmas of the DIT or DIT-2 to gauge a person's overall level of moral *development*, which is a larger concept that comprises a person's moral reasoning on many individual ethical dilemmas. Moral *judgment*, defined as the ability to determine appropriate options in a moral dilemma (Rest, 1993), is one of the components of moral development and the term we use with fewer dilemmas.

REFERENCES

Auger, G. A., and Gee, C. (2016). Developing moral maturity: An evaluation of the media ethics course using the DIT-2. *Journalism and Mass Communication Educator*, *71*(2), 146–162.

Baek, H.-J. (2002). A comparative study of moral development of Korean and British children. *Journal of Moral Education*, *31*(4), 373–391.

Bebeau, M., and Thoma, S. (1999). "Intermediate" concepts and the connection to moral education. *Educational Psychology Review*, *11*, 343–360.

Belenky, M. F. (1986). *Women's ways of knowing: The development of self, voice, and mind*. New York: Basic Books.

Cabot, M. (2005). Moral development and PR ethics. *Journal of Mass Media Ethics*, *20*(4), 321–332.

Christians, C. (2002). The social ethics of Agnes Heller. In S. L. Bracci and C. G. Christians (Eds.), *Moral engagement in public life: Theorists for contemporary ethics* (pp. 53–72). New York: Peter Lang.

Coleman, R. (2003). Race and ethical reasoning: The importance of race to journalistic decision making. *Journalism & Mass Communication Quarterly*, *80*(2), 295–310.

Coleman, R. (2006). The effect of visuals on ethical reasoning: What's a photograph worth to journalists making moral decisions? *Journalism and Mass Communication Quarterly*, *83*(4), 835–850.

Coleman, R. (2011a). Color blind: Race and the ethical reasoning of blacks on journalism dilemmas. *Journalism and Mass Communication Quarterly*, *88*(2), 337–351.

Coleman, R. (2011b). The moral judgment of minority journalists: Evidence from Asian American, Black, and Hispanic professional journalists. *Mass Communication and Society*, *83*(4), 835–850.

Coleman, R. (2011c). Journalists' moral judgment about children: Do as I say, not as I do. *Journalism Practice*, *5*(3), 257–271. doi:10.1080/17512786.2010.523588.

Coleman, R., and Wilkins, L. (2002). Searching for the ethical journalist: An exploratory study of the ethical development of news workers. *Journal of Mass Media Ethics*, *17*(3), 209–255.

Coleman, R., and Wilkins, L. (2004). The moral development of journalists: A comparison with other professions and a model for predicting high quality ethical reasoning. *Journalism & Mass Communication Quarterly*, *81*(3), 511–527.

Coleman, R., and Wilkins, L. (2009).The moral development of public relations practitioners: A comparison with other professions. *Journal of Public Relations Research*, *21*(3), 318–340.

Craig, P. J., and Oja, S. N. (2013). Moral judgment changes among undergraduates in a capstone internship experience. *Journal of Moral Education*, *42*(1), 43–70.

Cruzer, H. (2014). Tweaking the four component model. *Journal of Moral Education*, *42*(1), 104–123.

Cunningham, A. (2005). Advertising practitioners respond: The news is not good. In L. Wilkins and R. Coleman (Eds.), *The moral media: How journalists reason about ethics* (pp. 114–124). Mahwah, NJ: Erlbaum.

Deemer, D. (1989). Moral judgment and life experience. *Moral Education Forum*, *14*(2), 11–21.

Ellis, A. (1986). Fanaticism that may lead to a nuclear holocaust: The contributions of scientific counseling and psychotherapy. *Journal of Counseling and Development*, *65*(3), 146–151.

Erikson, E. (1950/1963). *Childhood and society*. New York: W. W. Norton.

Fiske, S. T., and Taylor, S. E. (1984). *Social cognition*. Reading, MA: Addison-Wesley.

Gardner, H., Csikszentmihalyi, M., and Damon, W. (2001). *Good work: When excellence and ethics meet*. New York: Basic Books.

Gert, B. (1988). *Morality: A new justification for the moral rules*. New York: Oxford University Press.

Giammarco, E. A. (2016). The measurement of individual differences in morality. *Personality and Individual Differences*, *88*, 26–34.

Gibbs, J. C., Basinger, K. S., Grime, R. L., and Snarey, J. R. (2007). Moral judgment development across cultures: Revisiting Kohlberg's universality claims. *Developmental Review*, *27*, 443–500.

Gilligan, C. (1982). *In a different voice: Psychological theory and women's development*. Cambridge, MA: Harvard University Press.

Glock, C., and Stark, R. (1996). *Christian beliefs and anti-semitism*. New York: Harper & Row.

Greene, J. D. (2007). Why are VMPFC patients more utilitarian? A dual-process theory of moral judgment explains. *Trends in Cognitive Sciences*, *11*(8), 322–323.

Haidt, J., and Graham, J. (2007). When morality opposes justice: Conservatives have moral intuitions that liberals may not recognize. *Social Justice Research*, *20*, 98–116.

Haidt, J., and Joseph, C. (2004). Intuitive ethics: How innately prepared intuitions generate culturally variable virtues. *Deadalus*, *133*, 55–66.

Kohlberg, L. (1976). Moral stages and moralization: The cognitive developmental approach. In T. Lickona (Ed.), *Moral development and behavior* (pp. 31–53). New York: Holt, Rinehart & Winston.

Kohlberg, L. (1981). *The philosophy of moral development: Moral stages and the idea of justice*. Cambridge, MA: Harper & Row.

Kohlberg, L. (1984). *The psychology of moral development: The nature and validity of moral stages*. San Francisco, CA: Harper & Row.

Kohlberg, L., and Power, C. (1981). Moral development, religious thinking, and the question of a seventh stage. In L. Kohlberg (Ed.), *Essays on moral development: Vol. 1. The philosophy of moral development* (pp. 311–372). New York: Harper & Row.

Lawrence, J. A. (1978). *The component procedures of moral judgment-making*. Doctoral dissertation, University of Minnesota.

Levinson, D. J. (1986). *The seasons of a man's life*. New York: Ballantine.

McEntee, R., Coleman, R., and Yaschur, C. (2017). Comparing the effects of vivid writing and photographs on moral judgment in public relations. *Journalism & Mass Communication Quarterly*, *94*(4), 1011–1030.

Meader, A., Knight, L., Coleman, R., and Wilkins, L. (2015). Ethics in the digital age: A comparison of the effects of moving images and photographs on moral judgment. *Journal of Mass Media Ethics*, *30*(4), 234–251.

Parker, R. J. (1990). The relationship between dogmatism, orthodox Christian beliefs, and ethical judgment. *Counseling and Values*, *34*(3), 213–216.

Perry, W. G. (1970). *Forms of intellectual and ethical development in the college years: A scheme*. New York: Holt, Rinehart and Winston.

Piaget, J. (1965). *The moral judgment of the child*. New York: The Free Press.

Plaisance, P. (2014). Virtue in media: The moral psychology of U.S. exemplars in news and public relations. *Journalism and Mass Communication Quarterly*, *91*(2), 308–325.

Rao, S., and Lee, S. T. (2005). Globalizing media ethics: An assessment of university ethics among international political journalists. *Journal of Mass Media Ethics*, *20*(2-3), 99–120.

Rawls, J. (1971). *A theory of justice*. Cambridge, MA: Belknap Press of Harvard University Press.

Rest, J. R. (1979). *Development in judging moral issues*. Minneapolis, MN: University of Minnesota Press.

Rest, J. R. (1983). Morality. In P. H. Mussen (Ed.), *Handbook of child psychology: Vol. 3. Cognitive development* (pp. 556–629). New York: John Wiley.

Rest, J. R. (1986). *Moral development: Advances in research and theory*. New York: Praeger.

Rest, J. R. (1993). Research on moral judgment in college students. In A. Garrod (Ed.), *Approaches to moral development: New research and emerging themes*. New York: Teacher's College Press, 201–213.

Rest, J. R., and Narvaez, D. (1984). *Supplement to guide for DIT-1*. Minneapolis, MN: Center for the Study of Ethical Development, University of Minnesota.

Rest, J. R., and Narvaez, D. (Eds.). (1994). *Moral development in the professions: Psychology and applied ethics*. Hillsdale, NJ: Erlbaum.

Rest, J. R., and Narvaez, D. (1998). *Supplement to guide for DIT-1*. Minneapolis, MN: Center for the Study of Ethical Development, University of Minnesota.

Rest, J. R., Narvaez, D., Bebeau, M. J., and Thoma, S. J. (1999a). *Postconventional moral thinking: A neo-Kohlbergian approach*. Mahwah, NJ: Erlbaum.

Rest, J. R., Narvaez, D., Thoma, S., and Bebeau, M. J. (1999b). DIT2: Devising and testing a revised instrument of moral judgment. *Journal of Educational Psychology*, *91*(4), 644.

Rest, J. R., Thoma, S., Moon, Y. L., and Getz, I. (1986). Different cultures, sexes, and religions. In J. R. Rest (Ed.), *Moral development: Advances in research and theory* (pp. 89–132). New York: Praeger.

Rest, J. R., Thoma, S., Narvaez, D., and Bebeau, M. J. (1997). Alchemy and beyond: Indexing the defining issues test. *Journal of Educational Psychology*, *89*(3), 498–507.

Thoma, S. (1986). Estimating gender differences in the comprehension and preference of moral issues. *Developmental Review*, *6*(2), 165–180.

Westbrook, T. L. (1995). *The cognitive moral development of journalists: Distribution and implications for news production*. University of Texas-Austin, unpublished dissertation.

White, C., Bushnell, N., and Regnemer, J. L. (1978). Moral development in Bahamian school children: A three-year examination of Kohlberg's stages of moral development. *Developmental Psychology*, *14*(1), 58–65.

Wilkins, L. (2010). Connecting care and duty: How neuroscience and feminist ethics can contribute to understanding professional moral development. In S. J. A. Ward and H. Wasserman (Eds.), *Media ethics beyond borders: A global perspective*. New York: Routledge, 24–41.

Wilkins, L., and Coleman, R. (2005). *The moral media: How journalists reason about ethics*. Mahwah, NJ: Erlbaum.

5

On the Unfortunate Divide between Media Ethics and Media Law

Theodore L. Glasser and Morgan N. Weiland

In his dated but still timely account of what freedom of the press means in the United States, Lee Bollinger (1991) makes the provocative point that the American ideal of an independent press rests on the image of the journalist as outsider. In this enticing, though romanticized, vision of journalism and journalists, the press exists as a loose confederation of rugged individuals whose pursuit of the truth knows no bounds. Variously portrayed as loners, skeptics, iconoclasts, and mavericks, journalists position themselves as guardians of the public interest and custodians of the community's conscience. Not only free from the state but unburdened by loyalties and alliances of any kind, journalists enjoy a special standing in American society. Nothing less than the Constitution authorizes them to take on the powerful, expose wrongdoing, and ferret out the news others would prefer to conceal.

Popularized over the years on television and in scores of films, books, and exhibits, the journalist-as-outsider motif vivifies the power and appeal of a "model of journalistic autonomy," as Bollinger describes the "central image of the American ideal of press freedom." This centerpiece not only captures a role for the press embraced by the Supreme Court, but acknowledges—indeed, appreciates—the kind of journalism celebrated, if not always experienced, by journalists themselves. As it "breathes life," Bollinger writes, into "a press conceived in the image of the artist … who lives (figuratively) outside of society, beyond normal conventions, and who is therefore better able to see and expose its shortcomings," it confers on journalists an unfettered "freedom to make mistakes" and an unconditional "power to err"; it promotes "a posture toward the world that says, in effect, no one will tell you what to do" (p. 55, 57). Understood broadly as a "metaphor for an intellectual style," the dominant image of a free press in the United States, as Bollinger sums up its scope, extends freedom far beyond the narrow strictures of the law: "To deny state regulation of the press, to declare it 'unaccountable' to official authorities, is to emphasize its intellectual independence from every constraint" (p. 57).[1]

In the culture of journalism, then, where the press sustains its self-image, freedom of the press represents the triumph of autonomy over accountability, which, among journalists, fuels what John Peters and Kenneth Cmiel (1991, p. 198) detect as a curious ethic of defiance: "one feels morally justified in the act of refusing a moral justification." In this setting, to recycle an argument developed elsewhere (Glasser & Ettema, 2008; Glasser & Gunther, 2005), claims about the First Amendment and other guarantees of a free press serve not only as a shield the press can

use to deflect meddlesome agents of the state, but a rhetorical device journalists can deploy to ward off critics who, technically, pose no legal challenge to a free press. Journalists thus become adversaries of accountability in precisely the way James Carey (1987) suggests: "To raise any ethical question with journalists is to invite the response that the First Amendment is being violated in even considering the issue" (p. 10).

With Bollinger's description and critique of the "central image" of a free press as our point of departure, we turn to a fuller explication of the ways in which a narrowly libertarian construction of press freedom, popular in the United States and in other liberal democracies, widens the gap between media law and media ethics to the point where the former eviscerates the latter. Next, in response to journalists' aversion to accountability, which, we argue, manifests itself in the privatization of press ethics, we offer a highly stylized account of Jürgen Habermas' (1996a, 1993) theories of law and ethics, where norms of both kinds—ethical norms as well as legal norms—require a fully *public* and a genuinely *democratic* justification. Then, following the work of George Fletcher (1981, 1987), which usefully blurs the distinction between law and ethics, we examine the benefits of reading case law in terms of what justices and judges "assert" rather than what they "declare," an approach to the study of law that places a higher priority on understanding principles than identifying rules. Finally, along with an appeal to view media ethics and media law as functionally complementary domains of inquiry, we conclude with the adventurous claim that, intellectually and pedagogically, the mode of thought Fletcher calls "committed argument" might agreeably bridge the unfortunate divide between media ethics and media law, thereby improving the state of affairs that prompted this chapter: Too many of our media ethics textbooks say little or nothing about media law, and too many of our media law textbooks say little or nothing about media ethics.

FIRST AMENDMENT JURISPRUDENCE AND THE PRIVATIZATION OF PRESS ETHICS[2]

While historians differ on the origins of the image of journalists who "fancied themselves as bohemians," who scoffed at authority and mocked "respectable society" (Leonard, 1995, p. 207), Bollinger, for his purposes, traces it to the Supreme Court's 1964 decision in *New York Times Co. v. Sullivan.* Almost immediately hailed as a "happy revolution of free-speech doctrine" (Kalven, 1964, p. 205), *Sullivan* obliterated the idea of seditious libel and finally distanced the Court from any justification for criminalizing criticism of government. Even in instances of private parties engaged in civil litigation, under *Sullivan*'s "actual malice" test, which effectively constitutionalized libel law by applying a First Amendment standard of liability to it, the press could not be found guilty of defaming a public official unless journalists engaged in the most egregiously unethical conduct by, to paraphrase the Court, knowingly publishing a falsehood or exhibiting a reckless disregard for the truth.

Bollinger sees in *Sullivan* a clearly articulated rationale for unfettered public expression, a ruling that "provided a major modern context for defining the underlying meaning of the First Amendment" (1991, p. 5). As much a free speech case as a free press case, though journalists seldom view it that way, *Sullivan* protected the press not as an end in itself but as a means to facilitate, accommodate, and otherwise promote, as Justice William Brennan, writing for the Court, famously put it, the "uninhibited, robust, and wide-open debate" that self-governance demands. Especially with regard for the importance of "criticism of governmental conduct," the inevitable "erroneous statement" in "free debate" requires protection, the Court reasoned, in order to give "freedom*s* of expression" (emphasis added)—not only or even particularly freedom

of the press—the "'breathing space' they need … to survive." The facts of the case dealt with the press—an advertisement published in the *Times*—but the Court's decision concerned the larger question of the nexus between First Amendment values and popular sovereignty.

But Bollinger also sees in *Sullivan* a failure to confront the consequences of a press that behaves badly, a press that abuses "the freedom it possesses under the autonomy model" (p. 26). What happens, Bollinger asks, and not entirely rhetorically, when the press excludes "important points of view, operating as a bottleneck in the marketplace of ideas"; distorts "knowledge of public issues not just by omission but also through active misrepresentations and lies"; exerts "an adverse influence over the tone and character of public debate in subtle ways, by playing to personal biases and prejudices or by making people fearful and, therefore, desirous of strong authority"; fuels "ignorance and pettiness by avoiding public issues altogether, favoring simpleminded fare of cheap entertainment over serious discussion" (pp. 26–27)? Bollinger finds it nothing short of astonishing that the Court fails to address the risk of a press that becomes "a threat to democracy rather than its servant" (p. 34), a failure, specifically, to take seriously the kinds of concerns discussed years earlier in a report from the Commission on Freedom of the Press, which remains, in Bollinger's judgment, "as good a statement as we have of why the press is so important for the quality of our political system and why its freedom may be in jeopardy due to its inadequacies and abuses" (p. 28).[3]

Press Freedom and the Eclipse of Press Responsibility

The Commission, a blue-ribbon panel of prominent intellectuals, concluded that freedom of the press requires a moral diligence few in the press seem prepared to provide. Beyond its critique of particular problems in reporting the day's news, from sensationalism to superficiality, the bulk of its report, published in 1947 and still in print, focuses on the arrogance of a press that takes its freedom for granted, a press that shields itself from public scrutiny, and a press that fails to appreciate the essential link between press freedom and press accountability. What "now imperils the freedom of the press," Commission chair Robert Hutchins wrote in the report's Foreword, is the absence of "a serious and continuing concern for the moral relation of the press to society" (Commission, 1947, p. viii).

Rejecting the antiquated and inadequate "liberty to be carefree," which, quoting the historian Charles Beard on the legacy of a fiercely partisan press that engaged in "savage attacks on party opponents," defines freedom of the press as "the right to be just or unjust, partisan or non-partisan, true or false, in news column or editorial column" (p. 131), the Commission proffers a view of press freedom that affirms, rather than simply invokes, the public's interest in a certain quality of journalism. Rejecting as well any heavy-handed role for the state and other centers of power—the "press must be free from the menace of external compulsions from whatever source" (p. 18)—the Commission calls on the press to voluntarily "*take on the community's press objectives as its own objectives*" (p. 126; emphasis in the original). Finally, rejecting what it recognized as "an antithesis between the current conception of freedom of the press and accountability of the press" (p. 130), the Commission insists on a new and different conception of press freedom, one that regards a free press *as* an accountable press.

By equating press freedom with press accountability—by viewing them as two sides of the same coin—the Commission embraces an "affirmative" or "positive" interpretation of the First Amendment. Developed in detail in at least two of the Commission's "special studies" (Chafee, 1947; Hocking, 1947) and subsequently taken up by a number of First Amendment scholars (e.g., Barron, 1967; Emerson, 1981; Meiklejohn, 1961), a positive view of press freedom accepts but augments the familiar negative view of press freedom by affirming a public purpose of a private

press. Press freedom thus means, simultaneously, freedom *from* and freedom *for*; it means free-dom from coercion, typically but not exclusively coercion by the state, and at the same time freedom for the ultimate beneficiary of a free press, namely, the public. As the Commission understands the importance of journalism and its place in a democratic society, freedom of the press does not exist to simply protect the press; it exists, instead, to enable the press to manage, through sound judgment, the vigorous debate a self-governing society needs, for "the essential object for which a free press is valued," the Commission notes, "is that ideas deserving a public hearing shall have a public hearing" (p. 129).

The Commission's support for "the ideal that every voice shall have the hearing it deserves" represents a wholesale shift in First Amendment jurisprudence away from the standard libertar-ian interpretation of freedom of expression, which regards individual and institutional liberty as sacrosanct and which, in the Commission's view, "wears the aspect of social irresponsibility" (pp. 130–131). Significantly and controversially, the Commission reconfigures First Amendment values in a way that privileges speech, not speakers, an emphasis on protection for the content of expression that eclipses the libertarian's emphasis on protection for individual expression. What is being said matters more than who is saying it.

The Privatization of Press Ethics

Although the Commission and the press agree on the importance of keeping journalism inde-pendent and free from the state, they disagree on how to best do that. The press views any unwelcome public entanglement, even if the state plays no role in it, as "quasi-governmental" interference, a characterization journalists used to kill off one news council after another. The Commission, on the other hand, rejects the very premise of a democracy without a civil society, without a public space, lodged between the state and the marketplace, where journalists agree to engage others openly and candidly in a non-coercive discussion of press practices and performance. In fact, by separating ethics from accountability, the Commission cautions, journalists create a vacuum the state might regrettably fill: "The legal right will stand if the moral right is realized or tolerably approximated. There is a point beyond which failure to realize the moral right will entail encroachment by the state upon the existing legal right" (p. 131).

The enduring but unfortunate conviction among journalists that the press can be ethical without being accountable is so commonplace, so deeply embedded in the mythology of press freedom—at the center of Bollinger's "central image" of a free press—that no one winces when newsroom managers tell their subordinates not to talk about what they do and why they do it. It hardly seemed out of the ordinary when Matthew Winkler, editor-in-chief of Bloomberg News, in a chapter on ethics in his recent "guide for reporters and editors," instructed staffers not to "publish websites, Internet blogs or other online journals" that "discuss or disclose internal Bloomberg policies, management or newsgathering decisions" (Winkler, 2012, pp. 77–78). Of course, this does not mean that journalists are unethical or that they do not care about questions of right and wrong, good and bad. Rather, it means that journalists have grown accustomed to a remarkably cramped view of ethics, one that insulates and isolates the press from the larger community in ways that render ethics an entirely private matter. Journalists act as though they and they alone ought to be the final arbiters of the morality of their own conduct, an altogether authoritarian understanding of ethics that only adds to the irony of an institution that preaches democracy but operates as an autocracy. Put a little differently, accountability matters in jour-nalism, so long as it applies elsewhere. While journalists revel in their watchdog role—and for good reason—that role seldom manifests itself as a critical discussion of press practices and

performance. For all that is said and done in the name of accountability journalism, very little is said and done in the name of journalism accountability.[4]

Thus, the press locates ethics in-house, where journalists maintain exclusive control over its scope, content, and application. Except when a scandal erupts, the press responds to breaches of ethics behind closed doors, treating them as personnel matters that require confidentiality rather than as noteworthy issues that warrant the public's attention. By tradition, moreover, standards of practice and performance apply to employees, not employers, which means that CEOs, publishers, and other senior officials go about the business of journalism without even internal scrutiny.

Often expressed in the form of what the Commission derisively calls "piously framed paper codes" (p. 127), ethics typically boils down to a lofty statement of purpose followed by a quick rendition of praiseworthy and blameworthy conduct (e.g., do not plagiarize, do not fabricate, be accurate, be fair), most of which belabors the obvious. Ethics understood this way tends to be static and deeply conservative. To be sure, by separating ethics from accountability, journalists more or less ensure that they will not need to deal with questions and concerns to which they do not already have a handy response, which is more or less Carey's (1987) complaint when he observes that the "ethics of journalism often seems to be a cover, a means of avoiding the deeper question of journalism as a practice in order to concentrate on a few problems on which there is a general agreement" (p. 6).

ETHICS, LAW, AND DEMOCRATIC IDEALS

Accountability stands as the centerpiece of Habermas's efforts to link ethics and law, where accountability denotes a fundamentally democratic process through which norms—ethical norms and legal norms—establish their validity and, as such, their legitimacy. While separate and distinct, Habermas's theory of ethics (Habermas, 1990, 1993) and his theory of law and democracy (Habermas, 1996a, 1996b) converge on the importance of establishing the conditions for a public discourse intended to discover and clarify shared or common interests, a process through which both ethics and law contribute to the crafting of a larger normative framework for society. David Allen (1999), one of the few media scholars whose work takes a serious look at the prospects for a conceptual merger between media ethics and media law, puts it succinctly when he observes that Habermas brings together ethics and law with "the normative goal of creating a more just society through discursive practices" (p. 403).

Habermas locates his theory of ethics, which predates but leads logically to his theory of law, in the tradition of Immanuel Kant, particularly with regard to Kant's interest in specifying the grounds for the justification of ethical claims without specifying the claims themselves. With Kant, Habermas offers a proceduralist or deontological understanding of ethics that presupposes evaluative judgments about "something in the world that is more or less good for us" and turns its attention to the justification of normative judgments "about what we ought to do" (Habermas, 1993, p. 62). What concerns both Kant and Habermas is not what qualifies as good ethical choices but what constitutes the right way to justify them. However, Habermas distances his approach to ethics from modes of justification that, following Kant, rely on the "pure reason" individuals can muster on their own; he thus rejects the celebrated invitation from John Rawls (1971), also a Kantian, to imagine and to thereby consider, hypothetically, the plight of others.[5] By viewing justification in terms of accountability, Habermas relocates ethics from the individual to the community; from a monologue individuals can engage in on their own to a dialogue that necessarily involves others. In place of the imaginary and the hypothetical, Habermas substitutes

a real and earnest debate, an open and well managed forum that "requires that the interests of each person be given equal consideration" (p. 109). In short, Habermas democratizes ethics in ways Kant does not.

Habermas also distances himself from Kant's bifurcation of ethics and law. Illustrated by a series of now familiar distinctions or divisions[6] characteristic of what critics describe as his "formalistic, statist and positivistic conception of law" (Perelman & Berman, 1980, p. 114), Kant understands ethics and law as "two distinct and nonintersecting" (Fletcher, 1987, p. 534) realms of normative thought, grounded in different intellectual traditions. His approach to ethics is essentially communitarian, in the tradition of classical republicanism, while his approach to law is more fundamentally individualistic, in the tradition of classical liberalism. Habermas, in contrast, particularly in his theory of law, seeks to navigate a path between the two—that is, between, to turn to William Rehg's (1996) helpful account of Habermas's "long and complex" argument about the nature of law, "the minimal government of liberalism, a government restricted to preserving an unencumbered market economy under the rule of law," and "the collective action of a homogenous political society" that republicanism envisions (p. xxxi). Given what we know today (and what Kant could not have known two centuries ago) about the vagaries of market forces and the lack of social and cultural cohesion in almost any actually existing democracy, Habermas questions the viability of the liberal view, which "overlooks the public, deliberative side of democratic institutions," and questions as well the viability of the republican view, which "suggests an overly unitary 'popular will' inhering in the citizenry as a subject writ large" (p. xxxi).

The path Habermas follows, which takes elements of the liberal and republican models and "fits them together in a new way" (1996b, p. 27), leads to his discourse theory of democracy, a version of deliberative democracy which stakes its claims on the quality of public communication. In this idealized view of democratic participation, arguably "both historically and sociologically plausible" (Rehg, 1996, p. xiv), Habermas advances a normatively richer account of democracy than liberalism ordinarily allows, particularly when liberalism conflates descriptions with prescriptions by deferring uncritically to the results of the "interplay of power and interests in accordance with the market model," but not as normatively fulsome as republicanism demands, particularly when republicanism presupposes "a social whole centered in the state and imagined as a goal-oriented subject writ large" (Habermas, 1996b, p. 27). Specifically, by recognizing a complex society's political system as "but just one action system among others" (1996b, p. 30), Habermas theorizes a "decentered society"[7] in which popular sovereignty asserts itself through a multiplicity of public spheres, including parliamentary ones, and the networks—"linkages," to use the term Iris Marion Young (2006) prefers—that tie them together.

Discourse and Democracy

Habermas's interest in exploring the dimensions of an open and independent "public sphere," understood not as an institution or organization but as a social space generated through communication of a certain quality, began to take shape as early as his post-doctoral dissertation, published in the early 1960s but unavailable in English until 1989 (Habermas, 1989). There, he made the case for the existence of a liberal or "bourgeois" public sphere in England, France and elsewhere in the period between, roughly, the second half of the eighteenth century and the early 1800s, a development he attributed to a particular confluence of conditions associated with the pre-industrial market economy of the early phases of capitalism. But the philosophical underpinnings of the public sphere as a normative construct did not appear in full until the publication

of Habermas's two-volume treatise on "communicative action" (Habermas, 1984, 1987), which provided in unsparing detail a conception of reason and rationality tied to the ideal of unfettered and undistorted communication.

Rehg (1996) describes Habermas's theory of communicative action as "primarily a theory of rationality" (p. xii), though it could be just as appropriately read as a theory of language or a theory of argumentation. Fundamentally, Habermas introduces and refines the distinction between strategic action and communicative action, arguing in favor of the benefits of the latter as a means of identifying and legitimizing democratic norms. Starkly different in their management of discourse, strategic action, through power, influence, and manipulation, seeks control and compliance; communicative action, through cooperation, consensus, and compromise, seeks reciprocity and solidarity. Unlike strategic action, when public discourse serves to convincingly *convey* the public's interest in private interests, communicative action regards public discourse as an opportunity to impartially *discover* public interests—"generalizable" interests, as Habermas puts it—that may or may not coincide with private interests.

Dependent "on the use of language oriented to mutual understanding" (Habermas, 1996b, p. 18), this process of discovery—a process of deliberation, not aggregation—unites Habermas's theories of ethics and law. Both theories secure rationality through public discourse. And both theories understand the relationship between discourse and democracy through the lens of an elaborate framework for argumentation, the details of which are far beyond the scope of our limited account of Habermas's work, except to say that in ethics, as in law, the "better argument prevails"—to pirate a paragraph from a related discussion—"as it resonates with the larger community and when in the end it wins the assent of everyone affected by it":

> Not to be confused with the so-called "rational choice" that individuals might make as they calculate the consequences of supporting one argument or another, winning assent does not imply a contest among competing arguments. Rather, assent comes from, to recycle some of Habermas's language, a "rationally motivated agreement" that an argument is "equally good for everyone," which reminds us that discourse ethics does not involve a marketplace process which aggregates individual interests but a deliberative process which brings into existence common or shared interests. The better argument, which gains its authority through debate and discussion, emerges over time and evolves in response to other arguments, counter-arguments, questions, suggestions, objections, and so on.
>
> (Glasser & Ettema, 2008, p. 529)

The Relationship between Ethics and Law

Habermas (1996a) views law as a "functional complement" (p. 452) to ethics to the extent that, at a certain level of abstraction, law and ethics share a concern for the same problem: "how interpersonal relationships can be legitimately ordered and actions coordinated with one another through justified norms, how action conflicts can be consensually resolved against the background of intersubjectively recognized normative principles and rules" (p. 106). Law and ethics approach this problem in different ways, for different reasons, and with different expectations—their claims intersect but go their separate ways—but they both deal fundamentally with the conditions for a just social order; and the legitimacy of both depends on a deliberative process aimed at reconciling different and even divergent interests.

In any modern democracy, whether it tilts toward liberalism or republicanism, law leaves room for ethics as the state leaves room for civil society. Nonetheless, it is difficult to delineate

the relative scope of law and ethics, even for the modest purpose of deciding which covers more ground. Just as questions of law extend beyond questions of ethics, questions of ethics extend beyond questions of law, a point Habermas makes when he observes that legal norms are at once both narrower and broader than ethical norms:

> They are narrower inasmuch as legal regulation has access only to external, that is, coercible, behavior; they are broader inasmuch as law, as a means of organizing political rule, provides collective goals or programs with a binding form and thus is not *exhausted* in the regulation of interpersonal conflicts.
>
> (Habermas, 1996a, p. 452)

Law and ethics diverge in the familiar sense that the former implicates the state in ways the latter does not. Law relies on the power of the state to constrain conduct; it works not through an appeal to duty but by inducing what Fletcher (1987) calls "non-moral compliance" (p. 542). At the same time, law defers to ethics—that is, law makes room for ethics—with the clear understanding that the state condones what it does not expressly constrain. The very idea of individual rights and free choice, Habermas (1996a) writes, implies that law "upholds the principle that what is not explicitly prohibited is permitted" (p. 451). Still, if what is implicitly legal should not contradict what is ethical, as Habermas (1996a, p. 106) argues, it does not follow that what is not illegal is *ipso facto* ethical. It is an act of mischief when journalists claim—as they are wont to do, for instance, when they knowingly offend the public's sensibilities—that it is right to do whatever they have a right to do, as though an ethical prescription somehow derives from the absence of a legal proscription. In part, then, ethics concerns the distinction between what is permissible and what is acceptable.

Law and ethics converge in the less familiar sense that they find common ground in what Habermas (1996a) describes as "the radical content of democratic ideals" (p. xliii), a normative framework that positions popular sovereignty as democracy's principal premise and deliberative politics as the best means to achieve and sustain it. From this perspective, calls for a conceptual merger between media law and media ethics, like Allen's (1999), cannot be understood as simply asserting the superiority of either law or ethics, at least not in the sense of one encompassing or subsuming the other. They could not mean, for example, collapsing ethics into law, for that, Fletcher (1987, pp. 554–555) reminds us, would be a recipe for fascism, a totalitarian society in which there is no independence from the state, no individual rights, and no freedom of choice. Nor could they mean collapsing law into ethics, for that would induce chaos and anarchy, a stateless society incapable of facilitating democratic discourse. Instead and, again, predicated on the proposition that "human freedom has its summit not in the pursuit of private preferences but in self-governance through political participation," as Rehg (1996, p. xxv) sums up Habermas's position on the relative importance of private versus public autonomy, linking law and ethics— recognizing their "complementary relationship" (Habermas, 1996a, p. 106)—means that media law and media ethics have separate but related roles to play in supporting a political and social order that values public deliberation and which, therefore, privileges the forms and forums of communication that contribute to it.

Although Habermas does not call for the subordination of law to ethics—he opposes ranking ethics above law—he rejects the pretense of legal positivism, the persistent and widespread belief that law can and should be understood outside or beyond a normative framework. The positivist's preoccupation with strictly verifiable answers to questions of law, Habermas (1996a) cautions, creates "a false realism that underestimates the empirical impact of the normative presuppositions of existing legal practices" (p. xl).

TABLE 5.1
Two Modes of Legal Thought

	Mode 1	*Mode 2*
Inquiry relies on	detached observation	committed argument
Claims take the form of	declarations	assertions
Claims serve the purpose of	settling disputes	inviting debate and discussion
Substantive focus on	rules, accepted or rejected	principles, weighed
Acceptable claims judged to be	valid or correct	compelling or persuasive
Authority associated with	an individual's credentials	an argument's quality
Methodological orientation is	strictly empirical	a blend of empirical and normative
Conceptual/theoretical framework	legal positivism	transcendent theories of law

Extrapolated from Fletcher (1981).

PROSPECTS FOR THE UNIFICATION OF ETHICS AND LAW

Habermas's entreaties notwithstanding, ethics and law remain separate, distinct, and unrelated—in a word, siloed—insofar as they rely on entirely different, and at times seemingly incompatible, modes of inquiry. Fletcher (1981) examines this disparity in the context of the difficulty of rendering humanistic legal education "persuasive in Western legal cultures" (p. 990), a difficulty that is abundantly evident in both media law and media ethics textbooks. Epistemologically and methodologically, ethics confounds the study and practice of law by introducing controversy where, presumably, certainty should exist. Ethics, Fletcher explains, introduces "precisely the kind of indeterminacy in the concept of law that positivists want to avoid" (p. 976).

To reconcile, if not resolve, the tensions between legal claims and ethical claims, Fletcher constructs, as "ideal types,"[8] two competing "modes of legal thought," which, unimaginatively, we call Mode 1 and Mode 2. As outlined in Table 5.1, these counterpoised ways of thinking about law capture the essential differences between the dominant legal culture in the United States, which takes the "tenets of positivism as its foundation" (Fletcher, 1981, p. 985), and an alternative legal culture which acknowledges the positivist's claims but in the context of a legal theory that transcends them. That is, the knowledge claims associated with Mode 2 typically build on the knowledge claims associated with Mode 1, but only as the former problematizes the latter, a process through which empirically valid legal claims become fodder for normatively compelling ethical claims.[9] In what Fletcher calls "transcendent theories of law," characteristic of Mode 2, law and ethics effectively merge.

An exemplar of transcendent theories of law, Habermas's theory of law, though at times maddeningly dense and abstract, "moves within the compass of particular legal orders," as Habermas (1996a, p. 196) describes his attention to the details of the legal systems in the United States and Germany: "It draws its data from established law … from statutes and precedents, doctrinal commentaries, political contexts of legislation, historical legal sources, and so forth." Habermas's "self-understandings" of these "two existing legal orders," in Rehg's (1996) account of Habermas's project, recognizes the

> jurisprudential tension between, on the one hand, the need for judicial decisions to conform to existing statues and precedents and, on the other hand, the demand that decisions be right or just in light of moral standards, social welfare, and so forth
>
> (p. xxix)

and thus builds on the friction between law and ethics. In the end, Habermas's blend of empirical and normative claims, which "incorporates the insights" of existing theories "but also criticizes and attempts to go beyond them" (Rehg, 1996, p. xxx), yields what Fletcher calls a "committed argument" about what law could and should be.

The predominantly normative claims associated with the committed arguments of transcendent theories of law stand in contradistinction to the strictly empirical claims associated with the "detached observation" of legal positivism. In Mode 1, the mode of thinking taught in most American law schools (and replicated in many communication-media-journalism programs), law exists as a mostly self-contained system of knowledge, a "largely judge-focused" enterprise that privileges the authority of the judiciary: "Learning to 'think like a lawyer' often means learning to think like a judge" (Kerr, 2007, p. 61). Positivism's commitment to objective and verifiable knowledge requires an epistemological framework with clear and unambiguous criteria for determining who makes, enacts, and interprets law (Fletcher, 1981, p. 977); it depends, especially, on knowing that judges alone possess the power to resolve legal controversies. In this context, nothing matters more in the study or practice of law than a rigorous examination of judges' published opinions, which explains the popularity in the United States of the "case method" approach to legal education.

Judges resolve legal controversies through what Fletcher calls "declarations," a type of statement—more precisely, a linguistic act[10]—that creates what it ostensibly only describes. Declarations exist by virtue of the judiciary's authority to determine whether a particular rule of law applies to a particular set of circumstances. To take a familiar example: A trial court judge gets to declare—and on appeal a higher court gets to agree or disagree with the declaration—whether the "actual malice" rule applies in a particular libel case, an expression of a decision that in effect establishes the standard of liability a jury must use in evaluating the merits of the plaintiff's claims and the defendant's defense. Understood as declarations, in the courtroom or the classroom, judicial holdings distinguish themselves as self-evidently valid or correct. Furthermore, as Fletcher (1981) explains with reference to the work of Ronald Dworkin (1978), rules operate as either-or propositions; the logic of their validity requires that they apply categorically: "The force of a rule is not a matter of weight or degree; it is an 'all or nothing' matter"—"[e]ither it binds us or it does not" (p. 978). Accordingly, lawyers and students of law succeed not by weighing or otherwise examining the validity (or any other attribute) of a rule but by arguing for or against its application.[11] In the tradition of Mode 1, it serves no purpose to assess the quality of judicial pronouncements; normative questions are simply beside the point.

In the tradition of Mode 2, however, a very different way of thinking prevails. The emphasis shifts from describing law to advancing arguments about law. Authority shifts, too, from speaker to speech, from the privileged claims of credentialed jurists to the claims of anyone whose argument persuades others. In the "legal culture characterized by the mode of committed argument," as Fletcher (1981, p. 989) describes a basic premise of transcendent theories of law, judicial pronouncements and other legal claims are not declared but "only assayed, pondered, and asserted" (p. 982). Unlike declarations, which establish and apply—categorically and definitively—rules of law, assertions weigh principles; and principles (for example, "it is unjust to censor the press"), along with the arguments that advance them, "cannot be proved or disproved. They succeed so far as they speak effectively to those concerned about the same issues" (Fletcher, 1981, p. 989). Indeed, whereas declarations settle disputes, assertions invite debate and discussion: Assertions, arguments, and the theories they yield remain open-ended, tentative, and undetermined; for a "better vision," Fletcher (1981) reminds us, "always remains possible" (p. 982).

ETHICS, LAW, AND THE PURSUIT OF PRINCIPLES

A synthesis of media ethics and media law creates opportunities for an intellectually and ped-agogically richer account of media norms than either area of study can achieve on its own. But these opportunities depend on moving both ethics and law beyond the limited role of guiding journalists and other media practitioners in the conventional practice of their craft, a role too often cultivated when students respond to actual or imagined controversies in ethics and law, that conserves rather than examines existing norms. Put another way, we should expect more from the study of ethics and law than case studies, real or hypothetical, because case studies presuppose—and thus mask—many of the very norms that most need our critical attention. Especially in the area of media ethics, case studies tend to dwell on issues of individual (mis)conduct—the blame-worthy or praiseworthy choices individuals make—and almost always fail to consider the larger institutional and structural forces that quietly but powerfully shape the purpose of public com-munication. Carey (1987) illustrates the problem when he observes that the "fundamental ethical problems of journalism originate at the deepest level of ownership but are 'solved' at the level of the reporter and editor" (p. 13). A similar dynamic plays out in the area of media law, where "the ongoing orthodoxy of the case method of instruction," as Fletcher (1981, p. 995) describes the pedagogy of Mode 1 thinking, highlights the importance of precedents, particularly the rules they impart, and discounts the importance of not only the principles these rules ignore or implicitly reject but even the principles they explicitly or tacitly embrace.

In a serious, comprehensive, and open consideration of principles—the core value of the con-vergence of media ethics and media law—courtrooms and newsrooms no longer exist as enclaves of authority. Neither judges nor journalists can monopolize the articulation of principles as they monopolize the articulation of rules. Particularly in a democracy of the kind Habermas (1996a, 1996b) prescribes, which accentuates the link between the quality of public discourse and the conditions for popular sovereignty, the principles that underlie existing rules—rules of law in the case of judges, rules of conduct (e.g., codes of ethics, descriptions of "best practices") in the case of journalists—along with the principles that underlie rules that do not but arguably should exist, derive their legitimacy from a fully public examination of their justification and application. The dictum Fletcher (1981) applies to the principles of law applies to the principles of journalism as well: "We are all equally situated to make claims about the right and the good" (p. 973).

As a principle that governs the treatment of principles, being "equally situated to make claims about the right and the good" denotes a commitment to democratize discussion of press roles and responsibilities, a commitment in concert with the view, discussed and defended by, among others, Timothy Cook (2005), of journalism as a political institution and journalists as political actors. For when journalists take on the primary task of facilitating debate and delib-eration,[12] an obligation Habermas (1996a) stresses when he insists that news media "ought to understand themselves as the mandatary of an enlightened public whose willingness to learn and capacity for criticism they at once presuppose, demand, and reinforce" (p. 378), they posi-tion themselves as agents of self-governance, not self-expression. As such, journalists concern themselves with the collective needs of citizens, not the personal preferences of consumers; they act in accordance with the public interest, as expressed through dialogue and other processes of deliberation, instead of acceding to the public's interest, as expressed through market forces and other processes of aggregation; they decline liberalism's invitation, as politically and culturally seductive today as it has been for nearly two centuries, to equate a free press with free enterprise.

Decoupling a free press from free enterprise neither removes the press from the private sector nor imagines a press owned and operated by the state. But it does stand in resistance to a reliance on the Darwinian logic of the marketplace, where survival equals success, as the only

acceptable means of accountability. And it does make room for a more expansive interpretation of press freedom than liberalism ordinarily permits, an interpretation that welcomes policies that bring law and ethics together in the common pursuit of principles that clarify the responsibilities of an independent and democratic press.

NOTES

1. The image endures even when—or especially when—evidence contradicts it. See, for example, Glenn Greenwald's (2014) charge of timidity at *The New York Times*, which begins with an observation about journalism in an earlier era: "The iconic reporter of the past was the definitive outsider. Many who entered the profession were inclined to oppose rather than serve power, not just by ideology but by personality and disposition" (p. 232). Nowadays, Greenwald complains, "[t]hose who thrive within the structure of large corporations tend to be adept at pleasing rather than subverting institutional power. It follows that those who succeed in corporate journalism are suited to accommodate power. They identify with institutional authority and are skilled at serving, not combating it" (p. 233).
2. Portions of this section appeared first in Glasser (2014).
3. For an insightful account of the Commission on Freedom of the Press, its genesis and its legacy, see Pickard (2015, pp. 124–189).
4. For a recent and revealing study of British journalists' aversion to accountability, see Thomas & Finneman (2014).
5. Rawls (1971) invites consideration of the plight of others by placing individuals behind a "veil of ignorance," where they make an ethical choice without knowing how they would be advantaged or disadvantaged by it.
6. For example, "law governs external behavior, morality emphasizes intentions, law establishes a correlation between rights and obligations, morality prescribes duties which do not bring forth subjective rights; law establishes obligations sanctioned by power, morality escapes organized sanction" (Perelman & Berman, 1980, p. 114).
7. For complementary but somewhat different accounts of the logic of a decentered democratic society, see Benhabib (1996) and Young (2006).
8. Following Max Weber, Fletcher (1981) uses the notion of "ideal types" as a heuristic device, a methodological construct that serves Fletcher's purpose of advancing a "synchronic analysis" (p. 1001) of interwoven but contradictory conceptions of law: "Precisely because the data are unamenable to easy classification, these ideal types enable us to make some useful historical and comparative claims about the relative prominence of the two modes of legal thought" (p. 987).
9. As Fletcher (1981) explains the relationship between the claims of legal positivism and the claims of theories that transcend legal rules, "[t]hose who refuse to acknowledge that the law transcends enacted legal rules cannot—as a conceptual matter—engage in committed argument. Positivists, therefore, are limited to the mode of detached observation …. The converse logical relationship, however, does not hold. Anyone can detach himself from the legal system and observe the behavior of legal officials. Though positivism precludes committed argument about the law, subscribing to a transcendent legal theory does not prevent detached observation" (p. 985). From the perspective of Mode 2, then, arguments about the content of the law (what the law *is*) can lead to, rather preclude, arguments about what the law *ought* to be.
10. J. L. Austin (1962) calls these linguistic acts "performatives," from the word "perform," indicating "that the issuing of an utterance is the performing of an action" (p. 6). Declarations in law, Fletcher (1981) explains, "are acts as well as statements"; if a court "declares a contract void, the contract is void" (p. 974).
11. This is not to deny the creativity good lawyering requires: "[G]ood lawyers need a vivid imagination; they need to imagine how rules apply, where they might be unclear, and where they might lead to unintended outcomes" (Kerr, 2007, p. 63).
12. For a discussion of a "facilitative" role for the press, see Christians, Glasser, McQuail, Nordenstreng & White (2009, pp. 158–178).

REFERENCES

Allen, David S. (1999). "Merging Law and Ethics: Discourse Legal Theory and Freedom of Expression in *Hurley*." *Communication Law and Policy*, 4(4), 403–430.

Austin, J. L. (1962). *How to Do Things with Words* (J. O. Urmson, Ed.). New York: Oxford University Press.

Barron, Jerome A. (1967). *Freedom of the Press for Whom?* Bloomington, IN: Indiana University Press.

Benhabib, Seyla (1996). "Toward a Deliberative Model of Democracy." In Seyla Benhabib (Ed.), *Democracy and Difference: Contesting the Boundaries of the Political* (pp. 67–94). Princeton, NJ: Princeton University Press.

Bollinger, Lee (1991). *Images of a Free Press*. Chicago, IL: University of Chicago Press.

Carey, James W. (1987). "Journalists Just Leave: The Ethics of an Anomalous Profession." In Maile-Gene Sagen (Ed.), *Ethics and the Media*. Iowa City, IA: Iowa Humanities Board, pp. 5–19.

Chafee, Zechariah (1947). *Government and Mass Communications*, 2 vols. Chicago, IL: University of Chicago Press.

Christians, Clifford G., Glasser, Theodore L., McQuail, Denis, Nordenstreng, Kaarle and White, Robert A. (2009). *Normative Theories of the Media: Journalism in Democratic Societies*. Urbana, IL: University of Illinois Press.

Commission on Freedom of the Press (1947). *A Free and Responsible Press*. Chicago, IL: University of Chicago Press.

Cook, Timothy E. (2005). *Governing with the News: The News Media as a Political Institution*, 2nd ed. Chicago, IL: University of Chicago Press.

Dworkin, Ronald (1978). *Taking Rights Seriously*. Cambridge, MA: Harvard University Press.

Emerson, Thomas I. (1981). "The Affirmative Side of the First Amendment." *Georgia Law Review*, 15 (Summer), 795–849.

Fletcher, George P. (1987). "Law and Morality: A Kantian Perspective." *Columbia Law Review*, 87(3), April, 533–558.

Fletcher, George P. (1981). "Two Modes of Legal Thought." *The Yale Law Journal*, 90(5), April, 970–1003.

Glasser, Theodore L. (2014). "The Privatization of Press Ethics." *Journalism Studies*, 15(6), 699–703.

Glasser, Theodore L. and Gunther, Marc (2005). "The Legacy of Autonomy in American Journalism." In Geneva Overholser and Kathleen Hall Jamieson (Eds.), *The Press* (pp. 384–399). New York: Oxford University Press.

Glasser, Theodore L. and Ettema, James S. (2008). "Ethics and Eloquence in Journalism: An Approach to Press Accountability." *Journalism Studies*, 9(4), 512–534.

Greenwald, Glenn (2014). *No Place to Hide: Edward Snowden, the NSA, and the U.S. Surveillance State*. New York: Henry Holt and Co.

Habermas, Jürgen (1996a). *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy* (William Rehg Trans.). Cambridge, MA: MIT Press.

Habermas, Jürgen (1996b). "Three Normative Theories of Democracy." In Seyla Benhabib (Ed.), *Democracy and Difference: Contesting the Boundaries of the Political* (pp. 21–30). Princeton, NJ: Princeton University Press.

Habermas, Jürgen (1993). *Application and Justification: Remarks on Discourse Ethics* (Ciaran P. Cronin Trans.). Cambridge, MA: MIT Press.

Habermas, Jürgen (1990). *Communicative Ethics and Moral Consciousness* (Christian Lenhardt and Shierry Weber Nicholsen Trans.). Cambridge, MA: MIT Press.

Habermas, Jürgen (1989). *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* (Thomas Burger Trans.). Cambridge, MA: MIT Press.

Habermas, Jürgen (1984). *Theory of Communicative Action, Vol. 1: Reason and Rationalization of Society* (Thomas McCarthy Trans.). Boston: Beacon Press.

Habermas, Jürgen (1987). *Theory of Communicative Action, Vol. 2: Lifeworld and System: A Critique of Functionalist Reason* (Thomas McCarthy, Trans.). Boston: Beacon Press.

Hocking, William Ernest (1947). *Freedom of the Press: A Framework of Principle*. Chicago, IL: University of Chicago Press.

Kalven, Harry (1964). "The New York Times Case: A Note on 'The Constitutional Meaning of the First Amendment'." *Supreme Court Review*, 1964, 191–221.

Kerr, Owen S. (2007). "How to Read a Legal Opinion: A Guide for New Law Students." *The Green Bag: An Entertaining Journal of Law*, 2nd series, 11 (1), Autumn, 58–63.

Leonard, Thomas (1995). *News for All: America's Coming-of-Age with the Press*. New York: Oxford University Press.

Meiklejohn, Alexander (1961). "The First Amendment Is an Absolute." *Supreme Court Review*, 1961, 245–266.

Perelman, Chaïm, and Berman, Harold Joseph (1980). *Justice, Law, and Argument: Essays on Moral and Legal Reasoning*. Dordrecht: Reidel.

Peters, John Durham and Cmiel, Kenneth (1991). "Media Ethics and the Public Sphere." *Communication*, 12, 197–215.

Pickard, Victor (2015). *America's Battle for Media Democracy: The Triumph of CorporateLibertarianism and the Future of Media Reform*. New York: Cambridge University Press.

Rawls, John (1971). *A Theory of Justice*. Cambridge, MA: Harvard University Press.

Rehg, William (1996). "Translator's Introduction." In Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy* (pp. ix–xxxvi). Cambridge, MA: MIT Press.

Thomas, Ryan J. and Finneman, Teri (2014). "Who Watches the Watchdogs? British Newspaper Metadiscourse on the Leveson Inquiry." *Journalism Studies*, 15(2), 172–186.

Winkler, Matthew (2012). *The Bloomberg Way: A Guide for Reporters and Editors*. Hoboken, NJ: John Wiley & Sons.

Young, Iris Marion (2006). "De-centered Deliberative Democracy." *Kettering Review*, 24(3), 43–53.

6

The Search for Universals

Thomas W. Cooper and Clifford G. Christians

At this complicated time in human history, the media with a global reach are more necessary than ever. The urgency of a global media ethics that matches the muscle of today's worldwide communication technologies has become obvious. The nearly unlimited amount of digital data is a golden resource, if used for the public good. Given the power of international media corporations and the high speed electronic technologies which now characterize the media worldwide, it is imperative that ethics be broad and strong enough to equal their universal scope. Otherwise the result is a quiescent ethics, echoing the status quo rather than challenging or contradicting it.

In fact, several worldwide models have been developed or are underway. The Eurocentric ethical canon that is monocultural, parochial, and patriarchal is being replaced by cross-cultural, international frameworks.

THEORIES OF UNIVERSALS: PROFESSIONAL APPROACHES

Transcendental metaphysical universals that presume foundationalism have been discredited as imperialistic. Therefore, scholars today doing credible work on universals understand norms to be historically embedded rather than abstract and absolutist. Diversity in culture does not in itself prove philosophical relativism. Relativism is subject to the naturalistic fallacy; that is, "ought" statements cannot be derived from "is" statements since they represent different realms. What exists in a natural setting cannot itself yield normative guidelines. And relativism faces the long-standing contradiction articulated by Karl Mannheim: Those insisting that all cultures are relative must arise above them and in so doing relativism is nullified. The ethical frameworks described below all emphasize cultural diversity while seeking universals that are transcendent. The primary issue is identifying a different kind of universal, one that honors the splendid variety of human life.

Kaarle Nordenstreng opened a pathway by accounting for common values, but diversity also, through professional codes of ethics. Nordenstreng's *The Mass Declaration of UNESCO* (1984) was a pathbreaker in understanding professional ethics internationally through codes of ethics as constellations of media values. A later inventory of 31 codes in Europe identified journalists' accountability to the public, and to their sources and referents, as the primary emphases

(Laitila, 1995). Christians and Nordenstreng (2004) put codes of ethics in the larger context of social responsibility theory. Social responsibility thinking has been appearing in different parts of the world, from the Hutchins Commission in the United States to the MacBride Commission to the European Union to public journalism in Latin America (Sizoo, 2010). Codes of ethics contribute also in bringing society to the forefront, if these codes are reoriented from media-centered professionalism to social responsibility as a citizen-based paradigm.

Cooper's *Communication Ethics and Global Change* (1989) was the first comprehensive survey of media ethics across cultures by an international network of media professionals and educators from 13 countries. His study of professional morality identified three proto-norms as candidates for universal status. He concluded that one worldwide concern within the apparatus of professional standards and codes is the quest for truth, though often limited to objectivity and accuracy. A second concern, based on the available research data, Cooper defines as a desire among public communicators to work responsibly within the social mores and cultural features in which they operate. He also concludes that freedom of expression is a third imperative across professional media practice. Although stated in different language and to different degrees, free speech is an important component in maintaining accurate human expression.

Claude-Jean Bertrand (2000) advocates media accountability systems (M.A.S.) for enforcing ethical practices in the democratic media worldwide. M.A.S. examines every option in the private sector that fosters the media's responsibility through pressuring media organization and journalists to better serve the public, and thereby depriving the government of a pretext to interfere. All available strategies for media regulation are included—codes of ethics, ombudspersons, news councils (local, regional, national), in-house critics, journalism reviews, accuracy and fairness citizen groups, readers' and viewers' panels, and research institutes. Media accountability systems are more necessary now than ever given the unprecedented privatization and deregulation of electronic media throughout the world. Media accountability systems emphasizing freedom and equality already exist in various forms across the globe, particularly in such countries as Japan, the United Kingdom, Germany, France, Sweden, Israel, Estonia, Portugal, and the United States (Bertrand, 2003, pp. 293–384).

THEORIES OF UNIVERSALS: PHILOSOPHICAL APPROACHES

There are also several universal frameworks that step outside professional ethics and media institutions to work from the general morality. While having an explicit communication orientation, they are theoretical models rooted in philosophical reflection.

Seyla Benhabib (1992) has developed a principled interactive universalism not subject to the criticism of postmodernists that grand narratives are no longer possible. She defends universalist ideals in moral and political life by addressing the contemporary assault on universals. In the process, she takes seriously the contributions of feminism and communitarianism. In her reformulation of discourse ethics, humans are dialogic selves whose moral agency follows the norms implicit in Habermas' ideal speech situation—universal moral respect and egalitarian reciprocity (Bracci, 2002, pp. 128–130). Her idea of interactive dialogic rationality keeps ethics close to people's everyday experience, so that diversity in cultures is recognized rather than burying differences under an abstract metaphysics (Benhabib, 2011).

Kwasi Wiredu (1996) writes out of an African philosophical perspective. The human species lives by language. Every language is similar in its phonemic complexity and all languages serve not merely functional roles but in cultural formation. All languages are translatable into another

and understood in doing so. Every normal human being can learn another language and some people are purely bilingual. Through the intrinsic self-reflexivity of natural language, we arbitrate our values and establish our differences and similarities. Languages everywhere are communal; they give their speakers particularity, while the shared lingual character of our existence makes intercultural communication possible. Through the commonness of our biologic-cultural identity as *homines sapientes*, we can believe that there are universals while living at the same time in our local communities.

In a study of ethical principles in 13 countries, the sacredness of human life is consistently affirmed as a universal value (Christians and Traber, 1997). The rationale for human action is reverence for life on earth, respect for the organic realm in which human civilization is situated. The veneration of human life represents a universalism from the ground up. Various societies articulate this protonorm in different terms and illustrate it locally, but every culture can bring to the table this fundamental norm for ordering political relationships and such social institutions as the media. There is at least one generality of universal scope underlying systematic ethics. The primal sacredness of life is a protonorm that binds humans into a common oneness. And in our systematic reflection on this foundation of the social order, we recognize that it entails such basic ethical principles as truth, human dignity, and nonviolence (Christians, 2019, ch. 2).

Cooper's (1998) strategy for understanding our universal humanity is expanding our study from industrial societies to include learning from indigenous groups. He lived with the Shuswap in Canada, Polynesians in Hawaii, and the Rock Point Navajo People to experience firsthand their moral perspectives and modes of communication. He documents the *umwelt*, spirituality, respect, and wisdom of Native Peoples for whom communication is a release of stored power—potential energy becoming kinetic energy. He observes that "what outsiders call 'ethics' are derivative from a singular ethic, inseparable from the Great Spirit's law" (Cooper, 1998, p. 163). The Native Nations' emphasis on communion and community, the multilayered character of truth in indigenous cultures, and their integration of heart and mind demonstrate the fundamental human commitment to authentic communication.

Hamelink (2002) appeals to international human rights as the foundation of moral standards for the media. Human rights provide the only universally available principles for the dignity and integrity of all human beings. The world political community has recognized the existence of human rights since the adoption of the UN Charter in 1945, and has accepted international legal machinery for their enforcement. Member states of the United Nations have pledged themselves to promote universal respect for and observance of human rights, the dignity and worth of the human person, social progress, and the right of recognition before the law without discrimination. Therefore, in order to ensure democratic participation, all people have the right of access to communication channels independent of governmental or commercial control.

Nussbaum (1999, 2000, 2006) uses extensive research into the lives of women in the non-industrial world to argue for overlapping capabilities that are true of humans universally as they work out their existence in everyday life. The common values that emerge from people's daily struggles are bodily health, affiliations of compassion, recreation, emotional development, political participation, rights to goods, and employment. All human beings are capable of fulfilling these functions, and the countless ways of doing them overlap and establish standards for the quality of life across cultures.

Ward (2005) develops a philosophical foundation for global journalism ethics in contractualism. The idea of ethics as social contract stems historically from Hobbes, Locke, Rousseau, and Kant, with Ward preferring the contract theory of John Rawls as the most productive framework. In Ward's contractualism, ethical principles are intersubjective agreements produced by rational

discussion in light of common purposes, values, and facts. These restraints on social behavior guide decisions through reasonable dialogue among all interested parties. Ethics is the ongoing project of inventing, applying, and critiquing the basic principles that direct human interaction, define social roles, and justify institutional structures. Ethics for the news media is a set of legitimate but fallible agreements established by fair deliberation between the overarching profession of journalism and the public it serves (Ward, 2013, 2015).

Postcolonial theory is developed by Rao and Wasserman (2007; Rao, 2010; Wasserman, 2006, 2010) into a global perspective on ethics. Normative ideals for the media can only be conceived within the historical and political context that underlies current global power relations. Theoretical ethics ought to be global in their reach but local in conception. Such central propositions in ethics as human dignity must be understood across their symbolic and material axes. Dignity only comes to mean something when radical social change is brought about, otherwise it deepens human dignity for an elite while ignoring the misery of the rest. Ethical principles are not *a priori* but must include the material and discursive conditions to make them possible. The validity of our moral values for the global media is determined by the extent to which they resonate with the voiceless and vulnerable. Postcolonial theory provides both the critical vocabulary and tools for intervention that situate normative values in history while globalizing them simultaneously.

Wilkins (2010) develops a universal theory through neuroscience. In her model, the literature of moral development and feminist ethical theory are interconnected and established globally through neuroscientific research on the human brain. Moral development and the ethics of care in its own way assume that all human beings have the capacity for moral thinking. Ethical reasoning, while linked to experience, is considered an organic part of what it means to think as a human being. Neuropsychology documents that through evolutionary naturalism, the human species has a universal sense of right and wrong (cf. Plaisance, 2011; Plaisance, Skewes, and Hanitzsch, 2012). Whether the human moral instinct is a faculty, or hard wired, or best described in other ways still being researched worldwide, this biological inheritance is the ground for universalizing ethics throughout the species.

Universalist positions have discredited themselves over history by breeding totalitarianism. Those who claim knowledge of universal truth typically use it to control or convert dissenters. Universalism is said to threaten diversity, whereas relativism liberates us to reject all oppressive claims to truth. In light of this objection, it must be reiterated that the universalist appeals from Benhabib to Wilkins are not foundational *a prioris.* Interactive universalism, our common lingual identity, the sacredness of life, authentic communication in indigenous culture, international human rights, overlapping capabilities, contractualism, postcolonial theory, and neuroscience in the theoretical models above are not objectivist absolutes. They are presuppositions to which we are committed inescapably; one cannot proceed intellectually without taking something as given. Cartesian rationalism and Kant's formalism presumed noncontingent starting points. These primordial generalities do not. Without protonorms of universal scope, ethical theory and politics are trapped in the distributive fallacy, with various ideological blocs each claiming to speak for the whole.

A commitment to universals does not eliminate cross-cultural differences in thinking and belief. The only question is whether our values affirm the human spirit or not. The issue is whether these theoretical models enable the media to build a civic philosophy and thereby demonstrate a transformative intent. This is worldview pluralism which allows us to hold our beliefs in good faith and debate them openly rather than be constrained by a superficial consensus. The universal principles described so far do not obstruct cultures and inhibit their development. On the contrary, they liberate us for strategic action and provide a direction for social change.

SACREDNESS OF LIFE

To understand how these universal theories work regarding the media and media professions, the sacredness-of-life model can be expanded for illustrative purposes (Christians and Traber, 1997). This study starts from a different premise than comparing codes of media ethics around the world. Codes are distillations of the best thinking practitioners can do together on their standards and ideals, and seeking common themes among them is one way to discover cross-cultural agreement (Christians, 2010, p. 34).

The sacredness of life emerged from a dissimilar strategy. Philosophers, religious thinkers, cultural leaders, and social theorists were consulted instead of media professionals. The question for them was their starting point: What is the first principle that is non-negotiable among your people, in your religion or culture? What is bedrock for you, the presupposition from which you begin? Aristotle taught us that there must be an unmoved mover. There cannot be infinite regression or knowledge is indeterminate. One cannot act or think without taking something as given. All knowledge begins with presuppositions because we must start somewhere, not because they have been demonstrated to be unequivocally true. First principles are not pure truth in isolation but beliefs about what's best for the world.

Around the question of basic presuppositions, workshops, conferences, and consultations were organized worldwide. Fifty major papers were given in six languages on first principles—ranging from general theories, to communication ethics in Latin America, Africa, Japan, Taiwan, Poland, Brazil, and South Africa, to Arab-Islamic and Judeo-Christian ethics, Hinduism, and Native American mythology. This research on four continents is a limited sample, and ideally the question about basic presuppositions should be asked of all 6,500 living languages in the world and 20,000 people groups. But this study is explicitly international and cross-cultural, and points us in the right direction.

The basic commitment in all the groups they studied is the sacredness of life. Within the natural world is a moral claim on us for its own sake and in its own right. The sacredness of life is a pretheoretical given that makes the moral order possible. The history of how humans have valued their natural world is long and torturous, but the scientific view cannot account for the purposiveness of life. Living nature reproduces itself in terms of its very character. Therefore, within the natural order is a moral claim on us for its own sake and in its own right. As Hans Jonas concludes, "Nature evinces at least one determinate goal, life itself. … With the gaining of this premise, the decisive battle for ethical theory has already been won" (1984, p. 78).

Our duty to preserve life is similar in kind to parental obligation to their offspring. When new life appears, the progenitors do not debate their relationship to it as though their responsibility is a matter of calculating the options with neutral protoplasm. The forbears' duty to their children is an imperative that is timeless and nonnegotiable (cf. Jonas, 1984, ch. 4). Nurturing life has a taken-for-granted character outside subjective preference. From the sacredness of life perspective, the biological world provides a rich arena for seeing the permanent value of human life in its brilliant diversity.

The veneration of life is a protonorm similar in kind to the proto-Indo-European language, a lingual predecessor underlying the Indo-European languages as we know them in history. Reverence for life on earth establishes a level playing floor for cross-cultural collaboration on the ethical foundations of a responsible press. It represents a universalism from the ground up. Various societies articulate this protonorm in different terms and illustrate it locally, but every culture can bring to the table this fundamental norm for ordering political relationships and such social institutions as the press. In this sense, universal solidarity is the basic principle of ethics and the normative core of all human communication (Christians, 2019, pp. 93–100).

Human responsibility regarding natural existence contributes the possibility of intrinsic imperatives to moral philosophy. It demonstrates the legitimacy of concluding that collective duty can be cosmic and irrespective of our roles or contracts. This is a protonorm that precedes its elaboration into ethical principles. And its universal scope enables us to avoid the divisiveness of individual interests, cultural practices, and national prerogatives. The primal sacredness of life is a protonorm that binds humans into a common oneness. Out of this primordial generality basic principles emerge such as truth, human dignity, and nonviolence.

Truth is one ethical principle on which various cultures rest. The most fundamental norm of Arab-Islamic communication is truthfulness. Truth is one of the three highest values in the context of the Latin American experience of communication. In Hinduism, truth is the highest dharma and the source of all other virtues. Among the Sushwap of Canada, truth as genuineness and authenticity is central to its indigenous culture. Living with others is inconceivable if we cannot tacitly assume that people are speaking truthfully. Lying, in fact, is so unnatural that machines can measure bodily reactions against it. When we deceive, Dietmar Meith argues, the truth imperative is recognized in advance: "Otherwise there would be no need to justify exceptions as special cases. … Those who relativize truthfulness, who refuse to accept it as an ethical principle, indirectly recognize it as generally valid" (Meith, 1997, p. 89).

In Aristotle's legacy, truth and falsehood are permanently imbalanced: "Falsehood is itself mean and culpable, and truth noble and full of praise" (Aristotle, 1947, bk. 4, ch. 7). We ought not to grant truth and lying equal status and then merely calculate the best results. Lying must be justified while telling the truth need not be. In Bok's elaboration, only in monumental crises or as a last resort, can lying even be considered for moral justification. "Deceit and violence—these are the two forms of deliberative assault on human beings" (Bok, 1999, p. 18). Those who are lied to are resentful, hostile, and suspicious. "Veracity functions as the foundations of relations among human beings; when this trust shatters or wears away, institutions collapse" (Bok, 1999, p. 31).

While Aristotle's predilection toward truth is Greek in its cadence, he speaks to the world and across history. For Hinduism truth is the highest *dharma* and the source of all other virtues. The Truth and Reconciliation Commission in South Africa demonstrated that suffering from apartheid can be healed through truthful testimony. In the Talmud, the liars' punishment is that no one believes them. For the former secretary general of the United Nations, Dag Hammerskjold, "the most dangerous of all dilemmas is when we are obliged to conceal the truth to be victorious" (Jensen, 2000, p. 7). In Gandhi's *satyagrapha* the power of truth through the human spirit eventually wins over force. The fundamental norm of Islamic communication is truthfulness. For the Shuswap tribe in Canada, the truth as genuineness and authenticity is central to culture.

Respecting human dignity is another underlying principle about which there is transnational agreement. Different cultural traditions affirm human dignity in a variety of ways, but together they insist that all human beings have sacred status without exception. Native American discourse is steeped in reverence for life, an interconnectedness among all living forms so that we live in solidarity with others as equal constituents in the web of life. In communalistic African societies, *likute* is loyalty to the community's reputation, to tribal honor. In Latin American societies, insistence on cultural identity is an affirmation of the unique worth of human beings. In Islam, every person has the right to honor and a good reputation. In Judaism and Christianity, dignity is God's irrevocable claim on human beings, not earned, nor bestowed by people or institutions (Moltmann, 1984; Schultziner, 2006). For Confucianism, correct communication practices derive from the larger social etiquette of *li*, that is, respecting the dignity of others. *Homo sapiens* as a species requires within itself respect for its members as a whole.

Nonviolence is a third ethical principle entailed by the sacredness of life, or in negative terms, no harm to the innocent. Mahatma Gandhi and Martin Luther King developed this principle beyond a political strategy into a philosophy of life. For the preeminent theorist of dialogic communication, Emmanuel Levinas, the self-Other relation makes peace normative. When the Other's face appears, the infinite is revealed and I am commanded not to kill (Levinas, 1981, p. 89). Along with *dharma*, *ahimsa* (nonviolence) forms the basis of the Hindu worldview. In communalistic and indigenous cultures, care for the weak and vulnerable (children, sick, and elderly), and sharing material resources are a matter of course. Terrorist attacks around the world, mass shootings in the United States, the bombing of innocents in Syria cut to our deepest being. Along with the public's revulsion against physical abuse at home and our consternation over brutal crimes and savage wars is a glimmer of hope reflecting the validity of this principle.

Out of nonviolence, we articulate ethical theories about not harming the innocent as an obligation that is cosmic and irrespective of our roles or ethnic origin. When peace is an ethical imperative, it is not reduced to the politics of war, but one of three fundamental ways to understand the sacredness of life intrinsic to our humanness. When considering universals, nonviolence is of epoch-making importance: "No survival without a world ethic. No world peace without peace between the religions. No peace between the religions without dialogue" (Kung, 1991, p. xv). The principle of nonviolence promotes a discourse of peaceful coexistence in community life, rather than a focus on peace making between intergovernmental bodies. In Clemencia Rodriguez's "social fabric" approach to peace, open communication is essential, "based on mutual respect, solidarity, and collective enjoyment of public spaces" (2004, p. 3; cf., 2011). In terms of this principle understood through the protonorm, "only by invoking the sacredness and inviolability of life, by advocating non-violence and creative resolution, can communicators act morally" (Lee, 2007, p. 52). And the Declaration toward a Global Ethic of the Parliament of the World's Religions in 1993 connects principle and protonorm in the same way. The first of its four "irrevocable directives" is a commitment to a culture of nonviolence and respect for life.

A commitment to universals does not eliminate all differences in what we think and believe. The only question is whether the first presupposition with which we begin affirms the human good or not. The issue is whether our values help to build a civic philosophy and thereby demonstrate a transformative intent. This is worldview pluralism, which allows us to hold our beliefs in good faith and debate them openly rather than be constrained by a superficial consensus. The standard of judgment is not economic or political success, but whether our worldviews and community formations contribute in the long run to truth telling, human dignity, and nonviolence.

When we build our ethical models in universal terms, we have a framework by which to judge the media professions and practices locally. Of the three ethical principles that have arisen from various sections of the world, in communications we have worked the hardest with the first and second—human dignity and truth. Truth is central to communication practice and appears everywhere in our codes of ethics, mission statements, classes, and textbooks on media ethics. We disagree on the details, not always sure what truth means and how it applies. There is still in news a heavy emphasis on facts and unbiased information that no longer is defensible epistemologically. But the general concept of truth is an unwavering imperative. In entertainment media, we insist on realism, on artistic imagery and aesthetic authenticity, as synonyms for truth. In the persuasive arts, advertising and public relations, we consider its antonym, that is, deception, to be absolutely forbidden.

But if we broaden our understanding of truth from the Western Enlightenment tradition to a definition rooted in the universal sacredness of life, the view of truth as accurate information

is too narrow. With a framework oriented to the universal, the concept of truth is more sophisticated as disclosure. Truthful statements entail a comprehensive account of the context which gives them meaning. Dietrich Bonhoeffer contends correctly that a truthful account takes hold of the culture, motives, and presuppositions involved (1955, ch. 5). Truth means, in other words, to strike gold, to get at "the core, the essence, the nub, the heart of the matter" (Pippert, 1989, p. 11). No hard line exists between fact and interpretation; therefore, truthful accounts entail adequate and credible interpretations rather than first impressions. The best journalists weave a tapestry of truth from inside the attitudes, culture, and language of the people and events they are actually reporting. Their disclosures ring true on both levels; that is, they are theoretically credible and realistic to those being covered. The reporters' frame of reference is not derived from a free-floating mathematics, but from an inside picture that gets at the heart of the matter. Rather than reducing social issues to the financial and administrative problems defined by politicians, the media disclose the subtlety and nuance that enable readers and viewers to identify the fundamental issues themselves (Christians, 2004).

And increasingly, human dignity has taken a central position in media ethics (Düwell et al., 2014). For two decades now, we have worked on ethnic diversity, racist language in news, sexism in advertising. We see gender equality in hiring, and eliminating racism in organizational culture, not as political correctness but as moral imperatives. Human dignity that arrives on our agenda from the universal, takes seriously lives that are loaded with cultural complexity. Our selves are articulated within these decisive contexts of gender, race, class, and religion. A community's polychromatic voices are the arena through which participatory democracy takes place.

The imperative of human dignity grounded in the sacredness of life moves us beyond an individualistic morality of rights to a social ethics of the common good. It enables us to recognize that an urgent issue on the civic agenda at present is to enable the voices of self-discovery and self-affirmation to flourish among a society's cultural groups. A community's moral obligation is not merely treating ethnic differences with fairness, but an explicit commitment to what Charles Taylor calls "the politics of recognition." As he puts it, "Nonrecognition or misrecognition can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being. Due recognition is not just a courtesy we owe people. It is a vital human need" (Taylor, 1994, p. 26). Promoting human dignity does not mean informing a majority audience of racial injustice, for example, but insures those forms of representation from the ground up that generate a critical consciousness for oneself and others. In honoring the human dignity principle, the press reorients multiculturalism from individual rights and political correctness to the larger moral universe of nonhierarchical social relations.

But the third ethical principle, nonviolence, is still underdeveloped. Flickers of peace are emerging on our media ethics agenda, but only glimmers compared to truth, and of late, human dignity. Johan Galtung has developed and applied the principle most systematically with his peace journalism, concerned not simply with the standards of war reporting, but positive peace—creative, nonviolent resolution of all cultural, social, and political conflicts (e.g., 2004). Peace journalism recognizes that military coverage as a media event feeds the very violence it reports, and therefore is developing the theory and practice of peace initiatives and conflict resolution (Lee, 2010; Lynch and McGoldrick, 2005). But the broad task remains of bringing this third principle to maturity. Our international magazines and newspapers should articulate, promote, craft, and illustrate the ethics of nonviolence. We need a rich venue at present for doing so—addresses, group discussions, news features, educational multimedia presentations, documentaries, theater, and music—together bringing the idea into its own across cultures and from the bottom up (Christians, 2019, ch. 5).

MEDIA TECHNOLOGY

A complicating factor in putting universals to work in communication ethics, is that, unlike many other disciplines, its focus has been changed by technology. While legal, medical, and business ethics, for example, have also been impacted by technical innovation, communication ethics is the only such field in which both the heart and name of the field has shifted from people to machines. As early as 1988, a comprehensive bibliographic study suggested that over 80 percent of modern writing about communication ethics focused upon media ethics (Cooper, Sullivan, Medaglia, and Weir, 1988). There is neither reason nor research to suggest that the four to one ratio has since decreased.

Historically, many ethicists have argued that external technologies only amplify the presence of eternal ethical issues, so media ethics is merely communication ethics in disguise. However, a significant number of important scholars such as Mumford (1934), White (1962), Ellul (1964), and Giedion (1969) have suggested that each technology transforms society and may have unintended consequences that need to be addressed ethically.

For example, research on television effects triggers a debate about whether repetitive televised violence may contribute to actual human violence. Computers and satellites provide the possibility for invading national and global privacy in ways that the naked eye and ear cannot. Arguments can be made that almost every medium transforms previous ethical issues and introduces new ones.

Indeed, Marshall McLuhan (1977), Eric McLuhan (1983), and Barrington Nevitt (1985) claim that there are specific laws of the media which, like the laws of nature, are all but indifferent to human intention and action. Although Cooper (1997) found that there were 40 ethical issues associated with cybermedia by the end of the last millennium, three years later he claimed there were 52 such issues and now has identified 64. Does speed-up in the rate of implementing new technology mean there is also a speed-up in the quantity and impact of ethical issues? Or are such issues old wine in new bottles because there is "nothing new under the sun?"

With the advent of communication speed-up there are many invisible technologies at work which the public cannot detect. Indeed the research presented to the Foundation of Intelligent Physical Agents at their annual conference in Dublin in 1998 indicates that the creators of new communication technology have the greatest ethical responsibility. Their hidden engineering systems may be tested in advance but little attention is given to examining their possible effects until after the new technology has been irreversibly introduced into society. Most of the public does not even know what intelligent agents are, let alone their impact upon individuals and groups.

Moreover, it is the interplay of technologies, software upgrades, plug-ins, formats, and innumerable invisible devices that is most difficult to track. In his ground-breaking *Food for Naught* (1974), the seminal Canadian biochemist Ross Hume Hall shows the hidden effects of the interaction of food additives. Although tested in isolation, the additives were untested in combination by nutritionists and government scientists. Similarly, the new media ecology, with a multiplication of new interacting species, also enlarges the world of both hidden and observable ethical problems.

However, to observe these phenomena is not to suggest that machines, rather than people, cause or are accountable for ethical lapses and virtues. People invent and maintain the machines, and are thus responsible for them. Nevertheless a globe of interactive talking machines which outlive the people who invented them is very different from the world of Aristotle and Confucius.

As noted at the outset regarding the urgency of a global ethics, we live in an age when information instruments and weapons technologies are closely linked. In such an age we have learned that, if we are not willing to use communication technologies for humane, prosocial purposes, there are those who will use such technologies for their own darker designs. Hitler's S.S. cameramen, for instance, used film not simply to record Holocaust atrocities but to proudly document their systematic efficiency when introducing accelerated methods of genocide.

Given the concerns that are routinely expressed worldwide about the digital divide, censorship, deceptive advertising, information flow, propaganda, privacy, piracy, pornography, cultural erosion, racial and national stereotyping, violence, and many related problems, there is indeed a need for a global communication ethic. Research cited within and beyond this chapter, and written recommendations since Hammurabi, demonstrate that the quest for responsible, truthful, communication practice transcends period and place.

FUTURE RESEARCH ON UNIVERSALS

So the question of greater concern is not if, but rather how, a global communication ethic may be created and implemented. Harold Innis (1951) recommended that there must be a balance between communication technologies of space and time. A larger requirement for a communication ethic is that there ought to be a balance between eternal communication ethics (that is, approaches transcending time), and external communication ethics (that is, approaches extending across space). The notion of space must now take into account technologies and codes which leap over continents to weave a multicultural mosaic. Such technologies at present extend into outer space (e.g., satellites), inner space (e.g., our media-filled subconscious minds), and global space (e.g., the wired world of seven continents and 24 time zones). A balance between an ethics of space and of time is now required.

And other types of balance cannot be excluded when building a communication ethic suitable to a new millennium sensitivity:

1. A balance between the indigenous and developed world's wisdom and vision.
2. A balance between idealized codes which inspire and policies which accurately depict harsh global realities.
3. Input from both the North and South, and the East and West (as in honoring not only Jewish but also Buddhist ethics and noting where they may be parallel).
4. A balance between universal principles and the particular issues and practices of regions.
5. A balance between the professional and the academic; between technical media and the core origins of communication ethics (speech, written, and performance ethics); between the political and the spiritual; between the codified and the intuitive/oral traditions.

In short, a harmonious inclusiveness which honors cultural and other diversity in fact, not as lip service, is required (Cooper, 2016–17).

Within the technical world, homeostasis is also essential. New communication technologies are primarily tested by (1) engineers for effectiveness; (2) research and development departments for competitive value; and (3) sales and marketing forces for target audiences. The teams which pretest not only technologies, but also programming and information formats, must also be complemented by ethicists, scientists, policy experts, parents, and community leaders who consider the potential impact of any new medium or product before it is introduced into the community.

A truly global inclusiveness must inform any communication ethics. Peoples such as the Rapa Nui, Zulu, Old Order Brethren, Amish, Dani, and a wide variety of other cultural groups are not usually consulted about world communication policy. Yet they often provide a valuable perspective because of their media blackouts, single source media, (no) advertising stance, and other atypical approaches which force cultures to rethink the conventional wisdom.

Ethical issues often appear after a technology, new program, communication genre, or software platform is introduced into society. Such problems might have been prevented or better understood if pre-search (preventive research) had been utilized. Before advertisers export feminine hygiene commercials into the cultures of Pacific Islanders, they need to realize that many island women watching TV will leave the room to avoid public embarrassment. Cross-cultural pre-search is necessary. Before Hollywood producers make a film with seemingly harmless initiation rites that will be imitated by hundreds of teenagers (several of whom will be killed), it is wise to involve teens and parents in the test screenings. Before introducing fiber optics communication into the mainstream and unleashing related hazardous waste by-products, multidisciplinary pre-search is necessary to study the toxic side effects.

Consequently, a global communication ethics must also be balanced between safe-guarding the future with pre-search and learning from our mistakes in the past via case studies. A multidisciplinary approach must seek and employ the wisdom of many thinkers, professions, schools, and peoples. It must take into account not only the original issues of rhetoric such as defamation and deception, but should now include the growing index of techno-issues from cyberspam and flaming to the Hall effect within an elaborate media ecology.

The global communication ethics that is required must not only be balanced, inclusive, and preventive, but also based on a solid foundation of cross-cultural values. A synthesis of research to date suggests that the theories and studies described above provide a notable starting point for identifying those underlying values necessary to build such a unifying ethics. When combined, an overarching analysis of both the Western and indigenous communication ethics research of these scholars yields a list of 16 primary values. Without these 16 interhuman essences and the related values which they imply, any global ethics document would be strictly ornamental. Although several of these values drawn from the authors above overlap, and although other important values must be inferred from the list, the "group of 16" stands as symbolic of what large global populations expect from both individual and professional communication: accountability, social responsibility, truthfulness, free expression, implementation systems (ombudspersons, codes, news councils, etc.), gender and racial equity, community, respect, reciprocity, spirituality, authenticity, human rights, integrity, nonviolence, dignity, and honoring the sacredness of all life.

This list may be easily expanded or contracted into a more detailed or quintessential foundation. Indeed in one sense the most recent commentary by Christians and Nordenstreng (2004), like the previous work of Christians and Traber (1997), suggests the ultimate contraction from 16 into a single protonorm. One implication of their thinking is that the 16th or final value is a bedrock omni-foundation beneath the cornucopia of 15 other values.

This underarching prima-protonorm, which is listed as the final one, might be summarized as "reverence for life" which is also strongly akin to the indigenous emphasis upon "respect for all life." Christians and Traber (1997) argue that nurturing life is a pretheoretical given that makes the moral order possible. For there to be truth, freedom, rights, and all the other 15 basic values, there must first be the existence of life and an ethics committed to preserving it. The other values cannot survive without it.

Hence in a world populated with instruments of destruction and of communication, the latter must be committed to dissolving the former; that is to the honoring and preservation of life.

A communication ethic for the 21st century must be rich in its ability to encompass complexity. Yet it must also remain morally simple in its unequivocal purpose, which is to nurture and protect the sacredness of life.

Behind this ethic are the spirits of many peoples (cf. Cortese, 1990). From Martin Buber (1965) there is the commitment that when dialog is genuine the speaker will respectfully "behold his partner as the very one he is" (p. 143). Mahatma Gandhi (1947) teaches that "you must be the change you want to see in the world." From Chief Thomas Littleben (1990) is the advice to "listen with all of yourself and only speak what you know." In Mother Teresa's wisdom, "there is no one who does not deserve our caring communication" (personal communication to Cooper, 1983).

A global communication ethics must be more than a hollow skeleton of worldwide codes and rhetorical declarations. It must be more than notions which are balanced over space and time, inclusive, preventive, and built upon a 16-fold values foundation. To be truly effective such a communication ethics must also be constantly lived and protected by people of every back-ground. These are people who are concerned that, depending upon the choices we human beings make, our current modes of communication may either guide destructive nuclear bombs or heal destroyed nuclear families. These are people who are unafraid to accept Horace Mann's (1859) ultimate challenge: "Be ashamed to die until you have won some victory for humanity."

Beyond this 16-value model, Cooper (2016–17) presents a new form of universalism in "A Whole Systems Approach to Ethics Inspired by Fritjov Capra." His proposal renders the human-technology discussion quite small within a cosmic context. He raises the possibility of seeing ethics from the perspective of the universe itself rather than as an anthropocentric endeavor. Inspired by Peter Singer's work on Sedgwick and by Capra's opus marrying physics and other sciences to the humanities and arts, Cooper looks at ethics through the telescope and microscope concurrently rather than through a human pair of glasses. Here is one small sample of how he seeks to enlarge the field of universals and ethics:

> What if ethics could be seen in a much larger "whole systems" approach that could be informed by disciplines as different as physics and eastern philosophy? What if ethics could be seen as related not only to human behaviour but also to all living species and their container—the universe?
>
> Consider, for example, one Western approach to ethics known as Utilitarianism. Often at the core of this school of thought is a question asked when making ethical decisions: "What is the greatest good for the greatest number?" Typically, this question involves solving the greatest "good" for the greatest number of people. But what if we took (Princeton ethicist) Peter Singer's concerns about animal rights quite seriously? Although I am not taking a stand here for or against human vegetarianism, what if we sought to determine the human diet that provided the "greatest good for the greatest number" of species? Clearly, more species (cows, chickens, deer, sheep, fish, pigs, etc.) are sacrificed in far greater numbers than the number sustained (just human beings) by raising and eating them. Since humans in most countries each many animals each month, if we listen to Singer, among others, we may think differently about "the greatest good for the greatest number."
>
> And what if we widened the lens to include all types of insects? In her crusade against the widespread use of the pesticide called DDT, scientist Rachel Carlson was concerned not only about the toxic effect such a poison might have upon human beings, birds, and domestic animals. So what if we sought to determine not only the greatest good for the greatest number of species, but also the greatest number of living entities?
>
> We can widen the aperture of this question even further? Supposing one asked the greatest good for the greatest number of generations? Not only would we need to rethink questions about the treatment of the environment and of many species, but also about the human economy, war, scientific research, and much more. A famous Native American ethic states that one must plan and act for the next four generations.
>
> (Cooper, 2016–17)

Both the microscopic and the macroscopic are used in seeking to enlarge our understanding of ethics. In this larger galaxy, human technology becomes simply an amoeba. Such it is for space. As for time, humanity and its tools are relatively recent microchips in the wide expanse of astro-history, such that one may study "us" from a much more vast perspective. The function, limitations, and goals of ethics may be altered drastically when seen in this larger context.

REFERENCES

Aristotle (1947). "Nicomachean Ethics." In R. McKeon (Eds.), *Introduction to Aristotle* (308–543). New York: The Modern Library.

Benhabib, Seyla (1992). *Situating the Self: Gender, Community and Postmodernism in Contemporary Ethics*. Cambridge, UK: Polity Press.

Benhabib, Seyla (2011). *Dignity in Adversity: Human Rights in Troubled Times*. Cambridge: Polity Press.

Bertrand, Claude-Jean (2000). *Media Ethics and Accountability Systems*. Piscataway, NJ and London: Transaction.

Bertrand, Claude-Jean (2003). *An Arsenal for Democracy: Media Accountability Systems*. Cresskill, NJ: Hampton Press.

Bok, Sissela (1999). *Lying: Moral Choice in Public and Private Life*. New York: Vintage Random House.

Bonhoeffer, Dietrich (1955). *Ethics*. Trans. H. N. Smith New York: Macmillan.

Bracci, Sharon (2002). "Seyla Benhabib's Interactive Universalism." In S. Bracci, & C. Christians (Eds.), *Moral Engagement in Public Life: Theorists for Contemporary Ethics* (123–149). New York: Peter Lang.

Buber, Martin (1965). *The Knowledge of Man*. New York: Harper & Row.

Christians, Clifford (2004). "The Changing News Paradigm: From Objectivity to Interpretive Sufficiency." In S. H. Iorio (Eds.), *Qualitative Research in Journalism: Taking It to the Streets* (41–56). Mahwah, NJ: Lawrence Erlbaum.

Christians, Clifford (2010). "The Ethics of Universal Being." In S. J. A. Ward, & H. Wassertman (Eds.), *Media Ethics Beyond Borders: A Global Perspective* (6–23). New York: Routledge.

Christians, Clifford (2019). *Media Ethics and Global Justice in the Digital Age*. New York: Cambridge University Press.

Christians, Clifford, and Nordenstreng, Kaarle (2004). "Social Responsibility Worldwide," *Journal of Mass Media Ethics*, 19(1), 3–28.

Christians, Clifford, and Traber, Michael (Eds.). (1997). *Communication Ethics and Universal Values*. Thousand Oaks, CA: Sage.

Cooper, Thomas W. with Sullivan, Robert, Medaglia, Peter, and Weir, Christopher (1988). *Television and Ethics: An Annotated Bibliography*. Boston, MA: G. K. Hall.

Cooper, Thomas W. (1989). *Communication Ethics and Global Change*. New York: Longman.

Cooper, Thomas W. (1997). "Alphabetizing and Analyzing the Leading Forty Issues in New Technology Ethics," *Pacific Telecommunications Review*, 19(2), 5–14.

Cooper, Thomas W. (1998). *A Time before Deception: Truth in communication, culture, and Ethics*. Santa Fe, NM: Clear Light.

Cooper, Thomas W. (2016–17). "A Whole Systems Approach to Ethics Inspired by Fritjof Capra," *Anekaant: A Journal of Polysemic Thought*, 4, Autumn, 95–99.

Cortese, A. J. (1990). *Ethnic Ethics: The Restructuring of Moral Theory*. Albany: State University of New York Press.

Düwell, M., Braarvig, J, Brownsword, R., and Mieth, D. (Eds.). (2014). *The Cambridge Handbook of Human Dignity: Interdisciplinary Perspectives*. Cambridge, UK: Cambridge University Press.

Ellul, Jacques (1964). *The Technological Society*. Trans. J. Wilkinson. New York: Alfred A. Knopf.

Galtung, Johan (2004). *Transcend and Transform: An Introduction to Conflict Work* (Peace by Peaceful Means). London: Pluto Press.

Gandhi, Mahatma (1947), As Quoted in *Globaltribe* (2008), *PBS television and KCET-TV*, retrieved March 22, 2008 from http://pbs.org/kcet/globaltribe.change

Giedion, Siegfried (1969). *Mechanization Takes Command*. New York: W.W. Norton.

Hall, Ross Hume (1974). *Food for Naught: The Decline in Nutrition*. Philadelphia: Lippincott.

Hamelink, Cees (2002). *The Ethics of Cyberspace*. Thousand Oaks, CA: Sage.

Innis, Harold (1951). *The Bias of Communication*. Toronto, ON: University of Toronto Press.

Jensen, Vernon (2000). "Bridging the Millennia: Truth and Trust in Human Communication," *Sixth National Communication Ethics Conference*, Gull Lake, Michigan, May, pp. 6–7.

Jonas, Hans (1984). *The Imperative of Responsibility*. Chicago: University of Chicago Press.

Kung, Hans (1991). *Global Responsibility: In Search of a New World Ethic*. Trans. J. Bowden. London: SCM Press.

Laitila, T. (1995). "Journalistic Codes of Ethics in Europe," *European Journal of Communication*, 10, 527–544.

Lee, Philip (2007). "Communication Is Peace: WACC's Mission Today," *Media Development*, 54(1), 49–52.

Lee, Seow Ting (2010). "Peace Journalism: Principles and Structural Limitations in the News Coverage of Three Conflicts," *Mass Communication and Society*, 13(1), 361–384.

Levinas, Emmanuel (1981). *Otherwise Than Being or Essence*. Trans. Alphonso Linguis. The Hague, The Netherlands: Martinus Nijhoff. Original publication in 1978.

Littleben, Chief Thomas (1990). *Interview with cooper, Rockpoint Dine (Navajo) Reservation*. Rockpoint, AZ.

Lynch, Jake, and McGoldrick, Annabel (2005). *Peace Journalism*. Stroud, Glos.: Hawthorn Press.

Mann, Horace (1859). *Commencement Address*. Yellow Springs, OH: Antioch College Archives.

McLuhan, Eric (1983). *Interview, Telephone*. Philadelphia to Toronto.

McLuhan, Marshall (1977). *Interview with Cooper*. Toronto, Canada: University of Toronto.

Meith, Dietmar (1997). "The Basic Norm of Truthfulness: Its Ethical Justification and Universality." In C. Christians, & M. Traber (Eds.), *Communication Ethics and Universal Values* (87–104). Thousand Oaks, CA: Sage.

Moltmann, Jürgen (1984). *On Human Dignity: Political Theology and Ethics*. Trans. M. D. Meeks. Philadelphia, PA: Fortress Press.

Mumford, Lewis (1934). *Technics and Civilization*. New York: Harcourt, Brace, and Company.

Nevitt, Barrington (1985). *Interview*. Toronto, Canada.

Nordenstreng, Kaarle (1984). *The Mass Media Declaration of UNESCO*. Norwood, NJ: Ablex.

Nussbaum, Martha (1999). *Sex and Social Justice*. New York: Oxford University Press.

Nussbaum, Martha (2000). *Women and Human Development: The Capabilities Approach*. Cambridge: Cambridge University Press.

Nussbaum, Martha (2006). *Frontiers of Justice*. Cambridge, MA: Harvard University Press, chs. 4–5.

Pippert, Wesley (1989). *An Ethics of News: A Reporter's Search for Truth*. Washington, DC: Georgetown University Press.

Plaisance, P., Skewes, E. A., and Hanitzsch, T. (2012). "Ethical Orientations of Journalists around the Globe: Implications from a Cross-National Survey," *Communications Research*, 39, 641–661.

Plaisance, Patrick (2011). "Moral Agency in Media: Toward a Model to Explore Key Components of Ethical Practice," *Journal of Mass Media Ethics*, 26, 96–113.

Rao, Shakuntala (2010). "Postcolonial Theory and Global Media Ethics: A Theoretical Introduction." In S. J. A. Ward, & H. Wasserman (Eds.), *Ethics Beyond Borders: A Global Perspective* (90–104. New York: Routledge.

Rao, Shakuntala, and Wasserman, Herman (2007). "Global Journalism Ethics Revisited: A Postcolonial Critique," *Global Media and Communication*, 3(1), 29–50.

Rodriguez, Clemencia (2004). "Communication Is for Peace: Contrasting Approaches," *The Drum Beat, E-MAGAZINE*, 278, December 6, 2–5.

Rodriguez, Clemencia (2011). *Citizens' Media against Armed Conflict: Disrupting Violence in Colombia*. Minneapolis: University of Minnesota Press.

Schultziner, Doron (2006). "A Jewish Conception of Human Dignity," *Journal of Religious Ethics*, 34(4), 663–683.

Sizoo, Edith (Ed.). (2010). *Responsibility and Cultures of the World*. Brussels: P.I.E. Peter Lang.

Taylor, Charles (1994). "The Politics of Recognition." In A. Gutmann (Eds.), *Multiculturalism: Examining the Politics of Recognition* (25–73). Princeton, NJ: Princeton University Press.

Teresa, Mother (1983). *Letter to Cooper*. Sri Lanka to Boston.

Ward, Stephen J. A. (2005). "Philosophical Foundations for Global Journalism Ethics," *Journal of Mass Media Ethics*, 20(1), 3–21.

Ward, Stephen J. A. (Ed.). (2013). *Global Media Ethics: Problems and Perspectives*. Malden, MA: Wiley Blackwell.

Ward, Stephen J. A. (2015). *Radical Media Ethics: A Global Approach*. Malden, MA: Wiley Blackwell.

Wasserman, Herman (2006). "Globalized Values and Postcolonial Responses: South African Perspectives on Normative Media Ethics," *The International Communication Gazette*, 68(1), 71–91.

Wasserman, Herman (2010). "Media Ethics and Human Dignity in the Postcolony." In S. J. A. Ward, & H. Wasserman (Eds.), *Media Ethics Beyond Borders: A Global Perspective* (74–89). New York: Routledge.

White, Lynn (1962). *Medieval Technology and Social Change*. Oxford: Oxford University Press.

Wilkins, Lee (2010). "Connecting Care and Duty: How Neuroscience and Feminist Ethics Contribute to Understanding Professional Moral Development." In S. J. A. Ward, & H. Wasserman (Eds.), *Media Ethics Beyond Borders: A Global Perspective* (24–41). New York: Routledge.

Wiredu, Kwasi (1996). *Cultural Universals and Particulars: An African Perspective*. Bloomington: Indiana University Press.

7

Justice in Media Ethics

Shakuntala Rao

"The general pursuit of justice might be hard to eradicate in human society."

<div align="right">(Sen, 2009)</div>

This chapter proposes a model of journalism focused on justice, or *nyaya*, and explores how notions of *nyaya*, as known from and used in Hindu and Vedic philosophical treatises and thought, can be connected to journalistic and democratic practices on a global scale. I theorize that, first, by acknowledging the influences of two philosophic traditions—the ancient Hindu philosophy of *nyaya* as described in the *sutras* or discourses of Gautama, writing in the third century BCE, and the writings on justice by Amartya Sen—and second, by contextualizing Sen's interpretive use of *nyaya* and ancient *nyaya* philosophies, a *nyaya*-focused journalism can be used to syncretically strengthen democratic journalism. I theorize, therefore, that *nyaya* can be an important ethical precept in global journalism practices.

NYAYA IN ANCIENT HINDU PHILOSOPHY

India's great contributions to art, architecture, literature, morality and ethics, and the sciences are matched by its multifarious philosophical traditions. In contemporary discourses, Hindu philosophical history is often reduced to a discussion of meditation and yoga, and seen as dreamy and abstract. In reality, the 4,000-year evolution of various schools of Hindu philosophies is the nucleus around which Hindu life to this day continues to revolve. It is not solely for the sake of a right or true understanding of India that one should read Indian philosophy, nor should it be read only as a record of past thoughts of, in, and about India. Most of the problems still debated in modern philosophical treatises, in more or less divergent forms, were touched upon by Hindu philosophers.

All systems of Hindu philosophy are in agreement in asserting that the purpose of philosophy is the extinction of sorrow and suffering. Hindu philosophy agrees further that the preferred method of achieving said goal is through the acquisition of knowledge of the true nature of things, a way to free men and women from the bondage of ignorance, the root cause of human suffering (Bhaduri, 1947; Dasgupta, 1957). Hindu philosophy does not attempt to train scholars to discern metaphysical truths; rather, it offers a way of thinking and reasoning that enables one to understand reality in a rational manner and, in so doing, leads one to the realization of truth.

There are in all aspects of Hindu philosophy three stages by which a person can achieve truth: reasoning, understanding, and realization. The first stage is that of accepting the laws of nature as taught by the great minds of the past (sages, or *rishis*). In the succeeding stage, through the process of analysis, the philosopher arrives at a rational and logical conviction (Bhattacharyya, 1990). Reasoning and speculation about transcendental principles, however, can never lead to more than probability; that is, there can never be certainty in reason's ability to serve as the means of discovering transcendental truth. Reasoning is merely a means of understanding the principles of nature, and it is the purpose of philosophy to guide and aid in that reasoning. The final stage, realization, enables the individual to become one with ultimate reality (*brahman*). Reasoning alone is never adequate for the realization of ultimate reality. Most schools of Hindu philosophy introduce yoga and the practice of yogic *asanas* (right posture), in which the mind and body are prepared for the knowledge of transcendental truth (Ingalls, 1951; Matilal, 1977).

Hindu philosophy recognizes the omnipresence of ultimate reality, but allows for multiple interpretations of that reality. The most significant of these are the six *darsanas*, or six insights. The word *darsana* comes from the root *drs*, which means "to see," and *darsana* is a Sanskrit term referring to philosophy (Matilal, 1986, p. 11). The six *darsanas* are *nyaya, vaisesika*, *samkhya*, yoga, *mimamsa*, and *vedanta*. These philosophies have much in common. Each is derived from the *Upanishads*, the philosophical portion of the book of *Vedas* that is accepted as the supreme authority of Hindu thought (Bernard, 1968). The six *darsanas* are delivered in *sutra* style, or as aphorisms. Together they form graduated interpretations of the path to achieving brahman, with the same practical end knowledge of the absolute and goal of liberation of the soul. The purpose of *darsan* is well articulated by Bernard (1968):

> Nothing can be taken for granted; the necessity of every assumption must be established. It [*darshan*] must be capable of explaining all things from the Great Absolute to a blade of grass; it must not contradict the facts of experience, conceptual or perceptual. Its hypothesis must satisfy all the demands of our nature; it must account for all types of experience: waking, dreaming, sleeping, and contemplating. It must be realistic as well as idealistic; it must not be a brutal materialism, worshipping facts and figures and ignoring values, idealizing science and denying spirituality. Nor must it be predominantly a philosophy of values which evades and ignores all connection with facts. Every fact of the universe, every aspect of life, every content of experience must immediately fall within the scope of its mold. It is not enough merely to interpret reality as perceived by the senses; it must explain both sides of reality, the change and the unchangeable, being and becoming, permanent and impermanent, animate and inanimate.
>
> (p. 23)

Of the six well-known upanishadic *darsanas*, I focus in this work on *nyaya. Nyaya* is referred to as the science of logical proof, and represents a method of philosophical inquiry into the objects and subjects of human knowledge.

The founder of the *nyaya darsana* is said to be Gautama, who is frequently referred to in Vedic literature as *aksapada* (eye-footed), as he was customarily seen with his eyes directed toward his feet while walking—a natural way to carry the head when lost in contemplation in the course of a stroll (Bhattacharya, 1936). The exact dates of *aksapada* Gautama's writings on *nyaya* are unknown but historians have been able to place his period of greatest activity as a philosopher and author around ca. 550 BCE, making him a contemporary of Buddha. *Aksapada* Gautama's *nyaya darsan* came to signify "going into the subject"—that is, an analytical investigation of a subject through the process of logical reason (Dasgupta, 1957, p. 83). The purpose of *nyaya* therefore is said to be to enable us to attain the highest goal of life—salvation, release,

freedom—by thoroughly realizing the four subjects established in the *nyaya sutras*: the thing to be avoided (pain), its cause (desire and ignorance), absolute avoidance, and the means of such avoidance (true knowledge).

Panini, the fourth-century grammarian, thought the term *nyaya* to be derived from the root "*ni*" and thus to have the same meaning as "*gam*," which means "to go" (Dasgupta, 1957, p. 429). Hence, *nyaya* in the local sense of the word can be the same as *nigaman* or the conclusion of a syllogism. "*Nyaya* philosophy is *atman*-centric," wrote Chatterjee (1950, p. 188), "Everything originates from the *atman* [soul] and is dissolved in it. It is the center of interest, the central principle of metaphysics, psychology, ethics, aesthetics, and religion." While the liberation of *atman* from pain and pleasure is the ultimate goal for *nyayayikas* (*nyaya* philosophers), the question posed by Guatama in the beginning of his *nyaya sutra* was, "What is the nature of knowledge?" (Saha, 1987, p. 9). *Nyaya* philosophy, and its logical and dialectical technicalities in particular, diverges from the existence of the ideal by showing that the external world does not exist independent of thought, but that the world is intelligible; our reason could reach its reality and could know its nature. The process of *nyaya* for *nyayayikas* was a multilayered path that began with *anubhava*, or the presentation of facts, and ran through *smirti*, or memory. There existed a distinction between *prama* (valid knowledge) and *aprama* (invalid knowledge); the recognition of *yathartha* (truth) or *ayathartha* (falsehood) in speech; reaching *buddhi* (intelligence) was a process of *samcaya* (doubt), *viparyyaya* (error) and *tarka* (debate or argument), along with *pratyaksa* (perception), *anumana* (inference), *upamana* (comparison), and *sabda* (testimony). These levels and practices in speech and thinking provided a clear path to reasoned knowledge. The manner in which knowledge originates is a favorite topic of discussion among *nyayayikas*. They argue that it is *pramana*, or pure knowledge, that we all seek. Pramana is created by the combination of perception (*pratyaksa*), inference (*anumana*), speech (*sabda*), and comparison (*upamana*).

A critical element of *nyaya* philosophy is the removal of false knowledge (*a-nyaya*). In examining *dosa* (defects) in humans, it is necessary to remove *moha* (ignorance), *raga* (attachment), and *dvesa* (antipathy). Ancient *nyayayikas* believed the world was full of sorrow, and that the small bits of pleasure one experienced served only to intensify the force of that sorrow. To a wise person, therefore, everything is sorrow (*sarvam duhkham videkinah*); the wise are never attached to the pleasures of life, which only lead us to further sorrow (Bijalwan, 1982). The bondage of the world is due to false knowledge (*a-nyaya*), which results from considering as myself that which is not myself—namely, body, senses, feelings, and knowledge. Attaining *pramana*, or valid knowledge, will free us to attain salvation, or *mukti* (Sinha, 1982). When any pleasure attracts us, we are thus to think that this is in reality but pain, and the right knowledge about it will dawn on us and it will never again attract us. With the destruction of *a-nyaya* our attachment or antipathy to things, and our ignorance of and about them, are also permanently destroyed. With the destruction of attachment, the fulfillment of desire ceases and, with it, sorrow ceases. Without *a-nyaya*, there is a form of emancipation in which the self is divested of all its sorrows and qualities (consciousness, feeling, and will). It is neither a state of pure knowledge nor of bliss, but rather one of perfect qualitylessness, in which the self remains in itself, in its own purity. Sometimes this state is spoken of as a state of absolute happiness (*ananda*), although *mukti* cannot and should not be associated with a feeling of happiness. It is a passive state of self, in its original and natural purity unassociated with pleasure, pain, knowledge, and will (Saha, 2003).

Since *aksapada* Gautama's *nyaya sutras* were first disseminated, there has been an enormous amount of critical literature examining *nyaya* philosophy. Perhaps the most important of these has been the *Vatsyayana-bhaysya* (*Words of Vatsyayana*), written by the philosopher Vatsyayana in ca. 300 CE. Udoytakara, in ca. 635 CE, wrote an extensive response to and reflection

on the teachings of Gautama and Vatsyayana, titled *Pramanasamuccaya* (*The existence of pramana*). Other well-known ancient *nyayayikas* included Udayana, who, in ca. 984 CE, wrote a sub-commentary on *nyaya sutra*, titled *Tatparyatika-parisuddhi (Manners of debates)*; Vardhamana (ca. 1225 CE) and Sankara Mistra (ca. 1425 CE) also wrote critical commentaries about both Gautama and Vatsyanyana's *nyaya sutras*. A rich body of literature debating the Hindu and Buddhist interpretations of *nyaya* followed. Among these critics, the best known were Jayanta (ca. 880 CE), Rucidatta (ca. 1275 CE), and Madhava Deva (ca. 1311 CE).

The new school of *nyaya* philosophy, known as *navya-nyaya*, began with Gangesa Upadhyaya, ca. 1200 CE. Gangesa wrote about the four *pramanas*, and his discussions on *anumana* and *tarka* attracted a great deal of attention in Navadvipa, the modern-day Indian state of West Bengal. A large body of literature was written by the scholars of Bengal, which became for some centuries following the home of *nyaya* studies (Mohanty, 1966). Unlike ancient forms of *nyaya* philosophy, *navya-nyaya* philosophy and its practitioners narrowly focused on *tarka* (argument), and on debate as a means of achieving *mukti*. Their work, which is at times highly technical, is full of terms related to debating and reasoning techniques that are unknown from other systems of Indian philosophy. The *navya nyayayikas*, in their treatises, discussed the fallacies of an argument, intentional misrepresentation of an argument, and the drawing of contradictory arguments (Jha, 1994; Sastri, 1961). Gangesa argued that *nyayayikas* needed to know such techniques as a protective measure against arrogant disputants who would try to humiliate a teacher before his pupils. If the teacher could not silence such an opponent, the pupils' faith in their teacher would be shaken and great disorder would follow. It was therefore deemed necessary that those who were moving toward *mukti* should acquire these reasoning devices for the protection of their own faith (Mukhopadhyay, 1984). Modern thinkers have argued that the use of *nyaya* to mean justice and *a-nyaya* to mean injustice in *devnagari* script is a direct result of the influence of the *navya-nyaya* way of thinking. For *navya nyayayikas*, reasoning, argumentation and debate were a path to truth and *mukti*.

AMARTYA SEN'S USE OF *NYAYA*

Amartya Sen's writings on economic theory are well known inside and outside of India. Sen's groundbreaking work on famine and poverty, which won him the 1998 Nobel Prize in Economics, is inextricably connected to his later scholarship on justice, best articulated in his 2009 book, *The Idea of Justice*. Famines, he argued, could occur without significant declines in food production (Sen, 1987). He found that famines have never occurred in democracies, however, no matter how poor or illiberal the democracy was. The explanation he gave was that democratic pressures on government led to the taking of measures designed to prevent famines. In contrast to the influential utilitarian tradition of ethics, which looked at utilitarian measures of well-being, Sen wrote that we should be concerned with the opportunities people have to pursue their objectives. This means that the concept of "functionings in a capability set"—that is, what a person can do or be—is central to analyses of poverty, deprivation and injustice (1999, p. 79).

Why, asks Sen, do most philosophers refuse to think about injustice as deeply or as subtly as they do about justice? They recognize, Sen observed, that the realization of justice is "not just a matter of judging institutions and rules, but of judging societies themselves" (2009, p. 20). Arguing in favor of a "realization focused perspective on justice," Sen wished for a global citizenry that was not merely trying to achieve some perfectly just society but was "trying to prevent manifestly severe injustices" (2009, p. 21). He wrote, "When people across the world agitate to get more global justice … they are not clamoring for some kind of 'minimal humanitarianism'.

Nor are they agitating for a 'perfectly just' world, but for the elimination of some outrageously unjust arrangements" (2009, p. 26).

Sen took issue with certain of his predecessors, such as Rawls, who according to Sen emphasized, "an arrangement-focused view of justice" (2009, p. 77). Although Sen wrote that his own approach could be understood as a non-radical foundational departure from Rawls's own program, he drew on *navya-nyaya* literature in outlining the distinction between *niti* and *nyaya*. Both of these terms can be translated as justice, but *niti* refers to correct procedures, formal rules, and institutions, whereas *nyaya* entails a broader, more inclusive focus on the world as it emerges from the institutions we create, and is central to creating a sustainable and just society. The key distinction, Sen observed, is that the realization of justice in the sense of *nyaya* is, "not just a matter of judging institutions and rules, but of judging the societies themselves" (2009, p. 20). Sen gave an example from early Indian jurisprudence, which is referred to as *matsyanyaya*, or "justice in the world of fish," where a larger fish is free to devour a smaller fish. *Nyayayikas* warn us of avoiding *matsyanyaya* and of the need to ensure that such forms of justice not be allowed to flourish in the world of human beings (2009, p. 32). No matter how proper the established organizations might be, wrote Sen, if a bigger fish can devour a smaller fish at will, then that must be a patent violation of human justice as *nyaya*. "Justice," wrote Sen (2009, p. 19), "is ultimately connected with the way people's lives go, and not merely with the nature of institutions surrounding them." Sen argued that justice is relative to a situation and that, instead of searching for ideal justice, a society should strive to identify, ameliorate, and eliminate structural but redressable injustices, such as the subjugation of women, poverty, and malnutrition. Sen held two opposing ideas in a form of dynamic stasis—first, the implication that it is possible to spend too much time reflecting on justice as a mere idea; and second, that justice as an idea could be reengineered to work better as a basis for practical reasoning, such that it might improve the world.

In agreeing with Rawls that, "democracy is an exercise in public reason" (2009, p. 323) and not solely a matter of elections and balloting, Sen wrote:

> The crucial role of public reasoning in the practice of democracy makes the entire subject of democracy closely related to justice.…If the demands of justice can be assessed only with the help of public reasoning, and if public reasoning is constitutively related to the idea of democracy, then there is an intimate connection between justice and democracy, with shared discursive features.
>
> (2009, p. 326)

Here, Sen critiqued *niti*-oriented political philosophy, which understands democracy in narrow, organizational terms, focused primarily on the procedures of balloting and elections. "The effectiveness of [the] ballot," wrote Sen, "depends crucially on what goes along with balloting, such as free speech, access to information, and freedom of dissent" (2009, p. 341). In formulating his close connection between *nyaya*, reasoned deliberation, and democracy, Sen critiqued the claim that democracy, like reason, is a quintessentially European or Western idea. Sen offered the example of Emperor Ashoka, who attempted to codify rules for public discussion by organizing meetings of Buddhist scholars in third-century BCE India. Similarly, by giving examples from *Akbarnama*, the recorded words of the fifteenth-century CE Mughal emperor Akbar, Sen recounted that the path of reason or the rule of intellect was, for Akbar, the basis of good and just behavior, as well as an acceptable framework of legal duties and entitlements.

Sen took *nyaya* philosophy away from its focus on suffering and *mukti* and into the realms of the ethical-societal and of justice, but his interpretative and pragmatic use of *nyaya* as a path of reasoned deliberation closely resembled the historical formulations of Gautama as well as the *navya-nyaya* school of thought. Although recognized for having made outstanding points of

philosophical thought, especially against the more dogmatic and instrumental views of society in various traditions of Indian philosophy, *nyayayikas* have been criticized for not reaching the most important and essential characteristic of human knowledge—namely, transcendence. Critics of *nyayayikas* argue that, because the material and objective world is known through reason, it seems to treat knowledge as they would treat many physical phenomena. "Knowledge reveals for us the facts of the objective world and this is experienced by us," wrote Chatterjee; "but that the objective world generates knowledge can hardly be demonstrated by mere experience. Knowledge is not like any other phenomena for it stands above them and interprets or illumines them all" (p. 55). Sen, in line with other great *nyayayikas*, argued against trying to identify an ideal of justice, and instead emphasized the need for a more tempered *nyaya* position, one that recognized and considered comparative and feasible alternatives, and the pragmatic need to choose from among them. Sen gave us a deceptively simple example of a pragmatic interpretation of nyaya when he wrote:

> If we are trying to choose between a Picasso and a Dali, it is of no help to invoke a diagnosis that the ideal picture in the world is the Mona Lisa. That may be interesting to hear, but it is neither here nor there in the choice between Dali and Picasso. Indeed, it is not at all necessary to talk about what may be the greatest or most prefect picture in the world, to choose between two alternatives that we are facing. Nor is it sufficient, or indeed of any particular help, to know that the Mona Lisa is the most perfect picture in the world when the choice is actually between Dali and Picasso.
>
> (2009, p. 122)

For Sen, as for other modern-day *nyayayikas*, reflective and objective cognition (*anuvyavasaya*) brings the self (*manas*) into direct contact with the knowledge of the object and leads to knowledge, justice, and ethics. The comparative analysis of Picasso and Dali provokes a choice between two alternatives, rather than invoking the presence of the Mona Lisa as the ideal. Public reasoning and the practice of *nyaya* envisions a just society based on the removal of *a-nyaya*, or that which is "against injustice" (Sen, 2009, p. 21), and illustrates how a keen focus on injustice can provide us with principles for just action.

NYAYA AND *A-NYAYA* IN DEMOCRATIC JOURNALISM

It is difficult to identify any single aspect of Sen's work that media and journalism scholars can integrate into the development of universals as completely as his idea of justice. Justice as an ethical concept resonates with the substantive protonorms of truth, non-violence and human dignity, and carries with it implications for the procedural notions of media regulation and accountability (Christians & Nordenstreng, 2004). In this section, I focus on a case study based on an ongoing, India-based research project, as a way to articulate the use of *nyaya* in democratic journalism practices. While I present a case from an Indian context, the primary thesis of my argument is that Gautama's and Sen's *nyaya* philosophy, and their focus on the removal of *a-nyaya*, can serve as an important ethical precept in global journalism practices.

On the evening of December 16, 2012, a 23-year-old woman and her male companion boarded a private bus plying a route through Delhi, the bustling capital of India. The details of the events that followed have been extensively reported by both Indian and international media. The woman, a physiotherapy intern, was raped by a group of men aboard the moving bus. She was beaten and mutilated with an iron rod. Battered, naked, and bleeding profusely, she and her male

companion were left on the side of a highway in Delhi, where they were found by a passer-by. After undergoing emergency treatment, the woman died from her injuries thirteen days later. Six men were arrested and charged in connection with the assault. Police claim that the main accused party—Ram Singh, the driver of the bus—has since committed suicide in prison; the remaining accused were tried, convicted, and sentenced to death.

Beginning on the morning of December 17, students, activists, housewives, labor union members, and men and women from all walks of life began to gather at Jantar Mantar and India Gate, two architectural landmarks in Delhi, to protest against police inaction and to demand safety for women. Images and footage of the protestors received wall-to-wall coverage on India's 300-or-so around-the-clock news channels. While the protests lasted about two weeks, the media coverage of the rape and its aftermath continued over the following months.

It was clear from the beginning that the media's approach to this coverage was to focus on justice. It was also clear that the anti-rape movement was a movement dominated by urban and educated members of the Indian middle-class, who were seeking to assert a new political subjectivity. Historically marginalized and rarely political, the Indian middle-class in recent years has become media-savvy and technologically empowered, and has begun to demand increased accountability from political elites, the judiciary, and police (Rao, 2013a). The Hindi and English-language broadcast media reflected the "collective spirit of the movement by openly critiquing the government and by giving coverage to the movement's actors" (Rao, 2013a).

Seen from a different perspective, however, the coverage of the rape first and foremost highlighted the concerns of the middle-class rather than of the poor, the class to which the victims of the crime belonged. While the rape victim was not a member of Delhi's middle-class—she was a recent émigré to Delhi from a small town in northern India—she was portrayed as an aspiring member of the middle class. Recent research on Indian journalism has shown how the deeply embedded caste system and associated class biases continue to impact news content and the media practices. "Liberalization and privatization of television news," wrote Rao (2013b, p. 249), "has created a cycle of un-interrupted reporting about violent crimes such as rape, molestation, murder, assault, incest, and child abuse, but less coverage of poor and lower-caste victims and the victims' families than coverage of wealthy and upper-caste victims."

For journalists, it is imperative that *nyaya* take center stage in the coverage of such cases. Both the ancient use of *nyaya* and Sen's usage can be applied to analyze the ethical issues particular to this case. Sen's theory of *nyaya* would ask journalists to understand the very nature of female disadvantage in India, which can take many different forms and goes far beyond one particular instance of rape. If the lack of safety of and for women is one aspect, the phenomenon of "boy preference" in family decisions is another (Bagchi, Guha & Sengupta, 1997, p. 11). Boy preference is closely related to the deep-rooted problem of "missing women," which refers to the shortfall of the actual number of women from the number we would expect to see given the size of the male population, and the female–male ratios that would be expected if gender equity existed in Indian society (Jawa, 2002, p. 202). Recent research has shown that the growth of a neoliberal economy has led to women facing marked differences in the demand for their labor, and that social attitudes concerning gender relations are beginning to change in response to changes in market conditions (Sharma, 2008). While it is too early to conclude that the large number of educated women that have entered the Indian workforce has had a dramatic impact on gender relations and filial arrangements, anti-rape protests and the ongoing media coverage have shown a growing awareness of issues relating to women's rights and safety. At the same time, however, there remains strong evidence that the economic and social options open to women remain significantly fewer than those available to men; going beyond women's well-being, journalists have yet to question either the limited role women play in Indian society or their circumscribed ability to

act independently, nor have they yet touched upon how media's initiatives and actions influence the lives of men as well as women, and boys as well as girls (Sen, 2013). For Sen, *nyaya* would not mean a singular focus on the rape case and any judicial outcome thereof, but rather a focus on the nature of gender and economic relations within a society.

Ancient *nyaya* philosophy provides those in the media the tools for moral reasoning of the sort needed to effectively report on and analyze such crimes. The media must openly promote the various forms of reasoning that *nyaya* philosophy advocates. For instance, the processes of *samcaya* (doubt) and *tarka* (debate) must underlie global journalism practices. There ought to be a broadly shared understanding that meaning is constructed through *upamana* (comparison), and *nyaya* is achieved through reason. Interestingly, in Indian jurisprudence, the word *nyaya* has been used interchangeably with logic, justice, and equity (Kaul, 1993). In some parts of India, people look down upon marriage with a maternal uncle's daughter or sister, whereas in other regions it is allowed. Which one of them is closer to *nyaya*? *Nyayayikas* suggest reasoning based on practice but also advocate for a constant evaluation of existing customs (Dasgupta, 1957). Customs can change over time, but only with elaborate explanations of and for said change. India's problem lies not so much in a particularly high incidence of rape, but in its inefficient policing, poor security arrangements, slow-moving judicial system, and, ultimately, the callousness of Indian society at large. *Nyayayikas* would propose a change of customs based on moral reasoning, with such change to include improved advocacy for gender equity from an early age, including measures that ensure equal access to education, health care and security, as well as a general, society-wide commitment to the well-being of female children.

Another aspect of ancient *nyaya* philosophy, and one also vocally advocated by Sen, calls upon journalists to focus on the removal or negation of *a-nyaya*. One positive consequence of the agitation following the December 2012 rape has been the drawing of attention both to the prevalence of sexual brutality in Indian society and to the failure of the Indian media to report on it seriously, thereby limiting public discussion and the likelihood of social change. It is encouraging that Indian news media, smarting from the intense criticism of their negligence in covering past similar events, has sought to reinvent themselves as experts in rape reportage, and many newspapers, magazines, and news channels have devoted pages and hours every day to reports of rapes gathered from across India. This can be taken as a manifestation of the ethics of the removal of *a-nyaya*, or as one of the ways that the Indian media now cover the multiple publics in its practice of public-interest journalism. A focus on *a-nyaya* would not exclude the voices of the poor, *dalit* (untouchable) and women from minority religions. In the past, crime and sexual violence against *dalit* or Muslim women have failed to elicit wall-to-wall media coverage, street protests, or demands for changes in state policies, or to influence judicial outcomes (Rao, 2013a). Poor, *dalit* and Muslim men and women have not previously been able to mobilize and use tactics of pressure in domestic and international forums to embarrass and expose the State in the hopes of compelling it to reconsider faulty policies and securing justice for the very poor. Guru and Chakravarty (2005) argued that some *dalit* social movements have formed to fight for human rights issues, such as an end to sexual violence and rape, but such movements often fizzle out, as they rarely demand fundamental changes in the core social and economic structures that create poverty and foster a sense of exclusion. A model of journalism that focused on *a-nyaya* would critique the very nature of knowledge production in an effort to uncover how *a-nyaya* is perpetuated by the exclusion of the marginalized and poor.

The true nature of democratic journalism, for *nyayayikas*, would be said to have been realized only once *nyaya* is being seen to be done. Justice being seen to be done is where media can play a critical role. For Sen, it was important that justice not simply be about legal correctness but also about popular endorsement, a confounding of jurisprudence with democracy. If a judgment

inspires confidence and general endorsement, then very likely it can be more easily implemented. "There is clear connection," wrote Sen, "between the objectivity of a judgment and its ability to withstand public scrutiny" (2009, p. 393). The media are responsible for ensuring the transparency of the reasoning process, as that is what binds together a society and fosters democratic recognition. In the December 2012 rape case, a fast-track justice court, which gave verdicts only nine months after the crime, hinted at the possibility of being-seen-to-be-done practices of and by the judiciary. For democratic journalists invested in *nyaya* and the removal of *a-nyaya*, being seen to be done would go far beyond the narrow reporting of the death sentence the judges handed down to the rapists. Journalists would be required to investigate the nature of the crime and the conditions of criminality, the economic and social conditions that lead to such crimes, civil rights and political liberties in democratic societies for both men and women, and the climate of apprehension and anxiety amid a changing social order.

Some have argued that India has been able to succeed as a modern political democracy, and has fostered conditions in which its rulers are held accountable for their actions in the public realm by citizens, by acting indirectly through competition with or the cooperation of their elected representatives (Chitalkar & Malone, 2011). Others argue that India has evolved as an "illiberal democracy" (Zakaria, 2004), with a corrupt political system, nonfunctional judiciary, and few rights for women, minorities, and the poor. If the media "sustains democracy" (Sen, 2009, p. 309), and vice versa, then the media coverage of the December rape revealed a paradox. On the one hand, there is deep commitment among both journalists and the public to democratic institutions, and a belief that the media speaks for citizens in questioning public policy and modes of governance. On the other hand, the media did not act representationally and excluded the voices of the marginalized, such as the poor, *dalit* and minority men and women, and therefore undermined the vigor and pluralism of a civil and democratic society. What we are faced with are two competing values. Again, on the one hand are the modern and democratic media advocating for the rights and liberties of women, and on the other is the older India, steeped in a deeply patriarchal caste system that, to them, remains unchallenged.

In a *nyaya*-based model of democratic journalism, journalists would be asked to investigate multiple Indias, publics, and democracies. Practicing a *nyaya*-based journalism would require the elucidation and questioning of customs that date back thousands of years and are an amalgamation of history and social living. *Nyaya*-focused journalists would also need to recoup from India's past the pervasive demands for participatory living and to avoid coming to view democracy as a kind of specialized cultural product of the West. *Nyaya* is based on the deep attraction of and to participatory governance that has existed in India and elsewhere for far longer than the last few hundreds of years of institutional democracy across Europe and in America. *Nyaya*, and the removal or negation of *a-nyaya*, therefore could provide a globally reasoned method of journalistic practice rather than a media that blindly emulates the practices of Western democratic journalism.

CONCLUSION

The starting point for media scholars is the fact that media organizations, media infrastructures, and what individuals and groups do in relation to the media are all now part of the basic template of everyday life. These developments cannot help but raise ethical questions about our practice in and through the media, questions that could not be critically and universally posed before the advent of the modern media (Alia, 2004). Couldry (2012, p. 181) wrote, "Whether we look through the lens of ethics or justice, media are not trivial. Disputes over media ethics or media

justice are the edges where the operational and infrastructural pressures of media production cut into the texture of everyday life." The 2012 rape case, and the ensuing reportage in India, give us a starting point—"the edge," from which we can begin to discuss the continued relevance of classical ethical philosophy. In both Gautama's ancient use and Sen's modern version of *nyaya*, we see reasoning and debate identified as a way to articulate the nature of a flourishing life. Media coverage of the 2012 rape, however incomplete, has shown that investigation into *a-nyaya* can be ethically progressive and can lead to reasoned scrutiny of the persistence of the forms of inequity that characterize the modern world. An increased focus on *nyaya* can give us a more comprehensive view of the nature of society and human life, and can serve as a compelling ethical principle for media practitioners and owners.

I have argued that the removal of false knowledge (*a-nyaya*) can be the guiding principle on which global democratic journalism practice can hinge. *Nyaya* as a philosophical path is formatively different from other philosophical writings about justice. These other writings do not focus on what Couldry refers to as "media injustices" (2012, p. 199), in which the injustices of media—a lack of accountability and accuracy, the misrepresentation of facts and ideas, et cetera—are uncovered and revealed to the viewing and reading public. The focus instead is on the removal of injustice *by* the media. *Nyayayikas* would argue that media injustices will be eliminated if and when media practitioners and journalists agree to *nyaya* and *a-nyaya* the guiding ethical principles for their work.

In the introduction to the first edition of this *Handbook*, Wilkins and Christians wrote that the study of media ethics has only recently begun to shift its focus onto the professional practices of journalists as a way to contribute to that effort, in conjunction with academic insights into moral and political philosophy. Media ethicists, they rightly state, is starting to ask "big questions" about the neutrality of technology and about applying classical ethical philosophy to modern understandings of media practices. Asking such questions also leads to a plurality of philosophical approaches, and there is nothing particularly defeatist in that acknowledgement. To borrow a metaphor from another context, in such diverse and varied philosophical readings of media ethics we hear the sound of ground being cleared for what might be a new paradigm, but it is too early to tell what the shape of that paradigm will be and whether or not it will be coherent and unified. Such a conclusion should not dissuade us from pursuing the heterotopic space of media ethics, even if there do not appear to be any single, totalizing vantage points from which to speak.

REFERENCES

Alia, V. (2004). *Media Ethics and Social Change*. New York: Routledge.

Bagchi, J., Guha, J., & Sengupta, P. (1997). *Loved and Unloved: The Girl Child in the Family*. Calcutta: Street Press.

Bernard, T. (1968). *Hindu Philosophy*. New York: Greenwood Press.

Bhaduri, S. (1947). *Studies in Nyaya-Vaisesika Metaphysics*. Poona: Bhandarkar Oriental Research Institute.

Bhattacharya, A. S. (1936). *Studies in Post-Sankara Dialectics*. Calcutta: University of Calcutta press.

Bhattacharyya, S. (1990). *Gadadhara's Theory of Objectivity*. New Delhi: Indian Council of Philosophical Research.

Bijalwan, C. D. (1982). *The Analysis of Jnana and Ajnana in the Light of Nyaya and Advaita Vedanta*. Madras: Bhartiya Vidya Bhavan.

Chatterjee, S. (1950). *Nyaya Theory of Knowledge*. Calcutta: University of Calcutta.

Chitalkar, P., & Malone, D.M. (2011). Democracy, Politics and India's Foreign Policy. *Canadian Foreign Policy Journal*, 17, 75–91.

Christians, C., & Nordenstreng, K. (2004). Social Responsibility Worldwide. *Journal of Mass Media Ethics*, 19, 3–28.

Couldry, N. (2012). *Media, Society, World: Social Theory and Digital Media Practice*. London: Polity Press.

Dasgupta, S. (1957). *A History of Indian Philosophy*. Cambridge: Cambridge University Press.

Guru, G., & Chakravarty, A. (2005). Who are the Country's Poor? Social Movement Politics and Dalit Poverty. In R. Ray & M. Katzenstein (Eds.), *Social Movements in India: Poverty, Power, and Politics* (pp. 134–166). Lanham, MD: Rowman & Littlefield.

Ingalls, D.H.H. (1951). *Materials for the Study of Navya-Nyaya Logic*. Cambridge, MA: Harvard University Press.

Jawa, R. (2002). *Girl Child Labour*. New Delhi: Manak Publications.

Jha, V. N. (1994). *Contribution of Nyaya System to Indian Thought Structure*. Kerala: Department of Sanskrit, University of Calicut.

Kaul, A. (1993). *Administration of Law and Justice in Ancient India*. New Delhi: Sarup & Sons.

Matilal, B.K. (1977). *Nyaya-Vaisesika*. New Delhi: Motilal Banarsidass Publishers.

Matilal, B. K. (1986). *Perception: An Essay on Classical Indian Theories of Knowledge*. Oxford: Clarendon Press.

Mohanty, J.N. (1966). *Gangesa's Theory of Truth*. Shantiniketan: Center for Advanced Study in Philosophy.

Mukhopadhyay, P.K. (1984). *Indian Realism: A Rigorous Descriptive Metaphysics*. Calcutta: K. P. Bagchi & Co.

Rao, S. (2013a). Covering Rape: The Changing Nature of Society and Indian Journalism. *Center for Journalism Ethics blog*. Retrieved October 13, 2013, from http://ethics.journalism.wisc.edu/2013/03/19/covering-rape-the-changing-nature-of-society-and-indian-journalism/.

Rao, S. (2013b). Global Media Ethics, Justice, and Indian Journalism. In S. J. A. Ward (Ed.), *Global Media Ethics: Problems and Perspectives* (pp. 235–250). Chichester: Wiley-Blackwell.

Saha, S. (1987). *Perspectives on Nyaya Logic and Epistemology*. Calcutta: K. P. Bagchi & Co.

Saha, S. (2003). *Epistemology in Pracina and Navya Nyaya*. Calcutta: Jadavpur University.

Sastri, S. K. (1961). *A Primer of Indian Logic according to Annambhatta' Tarkasamgraha*. Madras: Kuppuswami Sastri Research Institute.

Sen, A. (1987). *On Ethics and Economics*. New York: Blackwell.

Sen, A. (1999). *Development as Freedom*. New York: Knopf.

Sen, A. (2009). *The Idea of Justice*. Cambridge, MA: Belknap Press of Harvard University Press.

Sen, A. (2013). "India's Women: A Mixed Truth." *The New York Review of Books*. Retrieved October 14, 2013, from www.nybooks.com/archives/2013/oct/10/indias-women-mixed-truth/.

Sharma, A. (2008). *Logics of Empowerment: Development, Gender and Governance in Neoliberal India*. Minneapolis, MN: University of Minnesota Press.

Sinha, L.P.N. (1982). *Nyaya Theory of Perception*. New Delhi: Classical Publishing Company.

Zakaria, F. (2004). *The Future of Freedom: Illiberal Democracy at Home and Abroad*. New York: W.W. Norton & Co.

II
PROFESSIONAL PRACTICE

8

Truth and Objectivity

Stephen J. A. Ward

Modern journalism ethics was built upon the twin pillars of truth and objectivity. By the early 1900s, journalism textbooks, associations and codes of ethics cited truth and objectivity as fundamental principles of the emerging profession. Journalists were said to be responsible chroniclers if they reported in a truthful manner based on neutral reporting of objective facts. Journalists interpreted objectivity and truth according to their long-standing common sense realism – an epistemology that exuded confidence in the power of journalistic observation and other unexceptional methods. It also exuded confidence in psychological dualism – the capacity of journalists to separate observation and interpretation, and facts and opinion (and values), in their reports.

What the codes expressed was not *the* notion of truth and objectivity but one, historically situated, ideal. It was heavily indebted to the prevailing positivism of science and the idea of neutrality embraced by the emerging professions. It can be called the traditional (or original) idea of professional journalism objectivity.

Claims of truth-telling and the reporting of fact impartially go back to the 17th century origins of a periodic news press. Editors practiced an informal empiricism in chronicling the world. Their "newsbooks" mixed facts and opinions, and objectivity was yet to become a popular term. However, in the early 1900s, as the power of news media grew, the ethic of objective and truthful reporting became a strict methodology for constructing news stories. Guides to journalism stressed the need to separate, cleanly and absolutely, facts and opinion. The new mass commercial newspapers displayed a "veneration of the fact" (Stephens, 1997, p. 244).

Today, the traditional conception of journalism objectivity has a legion of sceptics due to at least three factors: First, a corrosive post-modern skepticism about objectivity and truth in general. Truth and objectivity are, for example, said to be Western notions used to impose a cultural imperialism on other cultures. Second, a cynicism about news organizations as more committed to profits and selling the news than honoring the ideals of objective reporting. Third, a belief that, not only is objectivity in journalism impossible or a "myth," but non-objective, perspectival journalism is best for a global media world populated by citizen journalists and social media advocacy. Therefore, any discussion must begin with the *problem* of truth and objectivity in journalism.

This chapter would be short if the critics were right, that is, it could be shown that objectivity and truth are invalid concepts. Period. Such a demonstration would be convenient. We would not have to wade into the deep philosophical water that surrounds the "trinity" of epistemic concepts:

rationality, objectivity, and truth. But, as I will argue, these concepts are not invalid, and the debunking arguments are themselves dubious and self-contradictory. A commitment to truth and objectivity is necessary for any serious inquiry, within and without journalism. Why?

Positively, such notions are needed to make sense of what we do when we make judgments, then claim they are worthy of belief or approval. They are worthy to the extent that they are true or objective. Negatively, to reject such notions is to undercut any attempt to make a claim. A claim, by definition, implies that what one says is true, objective, or rationally acceptable. To deny truth and objectivity undercuts every attempt to assert a proposition, including the proposition that there is no truth or objectivity. To question truth and objectivity is to use rationality to undermine rationality. Global skepticism of truth and objectivity, therefore, is a self-refuting view. To abandon objectivity and truth is to abandon the hope that inquiry can improve belief, discern error, or bring us closer to the truth about some matter. Why inquire at all if objectivity and truth are grand illusions, reducible to cultural bias or geopolitics? All is appearance and subjective opinion. Perhaps one should remain silent.

To make matters worse, it is not just truth and objectivity that are undermined. Our key epistemic terms stand or fall together. They form a semantic circle where the meaning of one is explicated in terms of the others. To be rational is to believe what is true; what is true is what is rationally acceptable, given objective norms of evaluation. To say a claim is objective is to say it is rational or true. Also, to undercut objectivity and truth is to undermine the associated distinctions between bias and non-bias, accuracy and inaccuracy, careful and hasty generalization, the logical and the illogical. For example, one cannot even appeal to the idea of false cultural stereotypes, or to false propaganda, since "false" is one of the terms abandoned.

It is not just Western cultural imperialism that is refuted; so are its critics. To reject truth and objectivity undermines the authority of attempts to reform the world. Reformers, whether advocating for human rights or applying feminist ideas to teaching, claim that their reforms are based on a "better" view of things than the status quo. But how define "better" if not as more rational, more objectively just, more based on facts, or closer to reality? Finally, in an era of global misinformation, "fake news," and social media extremism, this is exactly the *wrong* time to stop insisting that journalists (and others) support their claims by honoring rigorous methods and objective criteria.

The real issue, then, is not the validity of truth or objectivity as general notions. They are indispensable and valuable. The real issue is how to properly understand and improve our notions of truth and objectivity, and how to apply them in practices like journalism. We should neither abandon truth and objectivity carte blanche, nor fall back on an outdated traditional notion of objective journalism. The way forward is a reconstruction of the idea of journalism as objective and truth-seeking engagement for the public sphere.[1]

In this chapter, I outline how truth and objectivity came to be principles of journalism ethics, and how they came under attack. I discuss alternate journalism epistemologies that have arisen in the past several decades, and indicate the way forward.

EPISTEMOLOGIES OF KNOWLEDGE

Realism and Constructionism

Journalistic truth has two components: (a) the apprehension of truths, or true beliefs; and (b) truthfulness: the virtue of desiring truth. Truth and truthfulness travel together. For journalists to affirm truth but lack the desire to pursue it is an empty affirmation. To be competent in journalistic

method but to care little about truth is to undermine truth-seeking. Truthfulness is a mixture of passion, method, and evaluation. Ideally, journalists have a passion for truth that is shaped by objective methods of inquiry and tested for truth by evaluative criteria such as accuracy, completeness, and logical consistency. The journalistic search for truth faces many obstacles, such as the complexity of the world, the clash of rival perspectives, the biases of journalists and their sources, deadlines, and finite newsroom resources. Given these obstacles, journalists emphasize truth-seeking – the diligent application of fallible methods over time.

Talk of journalistic truth and objectivity is part of our culture's theorizing about these notions over centuries. This rich history includes theories of truth, as well as skepticism and relativism about truth claims. Since antiquity, intellectuals have offered theories of truth (Kunne, 2005), such as correspondence with reality; truth as the coherence of ideas; truth as rationally acceptable belief; and truth as useful ideas. Questions about truth and objectivity are also part of the epistemology of journalism. Epistemology is the philosophy of human knowledge as a whole and in its many kinds – empirical, scientific, mathematical, ethical, religious, and humanistic. As a leading reference has stated, epistemology is "that branch of philosophy concerned with the nature of knowledge, its possibility, scope and general basis" (Honderich, 2005, p. 260).

Two theories have dominated the epistemology of Western thought and of journalism: realist and constructionist views of truth and objective knowledge. Each theory is a broad perspective on inquiry that admits of many varieties.

Realists tend to favor some form of the "correspondence theory" of truth. True beliefs "fit" with or correspond to the world as it really is. False beliefs do not. This realism is the default position of common sense, that is, people in everyday life, before they philosophize. Philosophers have developed sophisticated epistemologies based on this realist point of view. Realist epistemology runs from Plato, René Descartes and John Locke to Bertrand Russell and, more recently, William Alston (1996). For Plato, truth was not shifting belief about quasi-real objects of sense but certain knowledge of transcendent and truly "real" objects known by intellect (Cornford, 1968, pp. 217–218). Aristotle in his *Metaphysics* defined truth as "to say of what is that it is, or of what is not that it is not" (2001, 1011b22-30, p. 749). Alston's "minimalist" realism ignores complicated questions about how ideas correspond to objects. He defines truth, simply, as such: "A statement (proposition, belief) is true if and only if what the statement says to be the case actually is the case" (Alston, 1996, p. 5). It is true that grass is green if it is the case that grass is green.

Realist theories reject theories that reduce truth to coherence among our ideas or to what we can justify, using objective methods. Truth is not justification. There are many truths about the world that humans may never know. A justified belief, considered true at time t1 may be shown to be false at time t2 in the future. The role of justification, and objectivity, is to ensure that we form beliefs in a manner that makes it more likely that we will reach the truth. (Rescher, 1988; Horwich, 1990). The essence of realism is that my beliefs are made true by some reality external to my mind. External objects provide an objective check on my beliefs. Realism often becomes an epistemology that stresses facts. Facts are worldly states of affairs that exist apart from human interpretations. It is a fact that water is made of hydrogen and oxygen, and Mount Everest is so many meters high. Truth and knowledge amount to knowing these facts, knowing the way the world is apart from how humans think of it.

In contrast, constructivism is the view that truth and objective knowledge are constructed by humans as individuals or as groups. There may be an external world that awaits accurate description, but we never know that world apart from the tools we use to apprehend it. There is no way to say what truth is other than to state the findings of our best methods of inquiry. We only know the world via our conceptual schemes and standards of evidence. Justification and pragmatic methods of rationality are more primary than the metaphysical search for absolute truth about

reality. For some constructionists, truth is defined (or reduced) to rational justification. Putnam (1981) argued against "absolute" realists who think humans can know reality as it exists apart from human perspective. He defined truth as rationally acceptable belief. Also, constructivism tends to lean toward some type of relativism in knowledge, since it defines truth as relative to human perspective and conceptual methods.

Constructionism as a viewpoint began with the realization in ancient Greece of the variety of moral and social systems among humans. The Greeks distinguished between *phusis*, or nature; and *nomos*, or law, convention, custom (Aristotle, 2009, p. viii). Nature may be ruled by universal principles but society is organized by customs and human-made laws that vary across societies. Thus began the tradition of explaining society by explaining how humans came to live under a certain set of customs or "social contracts" (Darwall, 2003). Thus began the long debate between relativists and absolutists when discussing truth and knowledge. In the past century, construc-tionism has become prominent in the form of "social constructionism" which studies how people make claims to knowledge while pursuing various practices and goals. Social constructionists also critique dominant notions that are defined in ways that support inequality in society, for example, concepts of race and gender. The analysis shows that the concept is a "construction" and does not refer to something objective in nature (Hacking, 2000).

Common Sense Realism and Journalism

Historically, journalists have been realists of a certain kind: common sense realists employing a common sense empiricism of method. Journalists have believed, like most people, that there is a real, external world that journalists can report on truthfully. They describe the world as it is.

"Common sense" is a term that needs to be used with caution. It does not entail that com-mon sense beliefs are true, even if widely accepted. Common sense is often false or lags behind the leading edges of science. Nor is common sense limited to ordinary experience. In any era, common sense includes religious, theoretical, and scientific beliefs that have made their way into popular culture.[2] To say that journalists use common sense means they adopt beliefs generally held to be plausible and they express the ideas plainly, avoiding complexities. This is part of their role as cultural translators.

Empiricism was an attractive method for journalists since they chronicle the observable world about us. A journalist's main path to truth is through the senses. If a journalist accurately reports on what was said or done, then the report is true. A news photograph is true if it captures an external event without distortion. If not, it is false. For many years, this simple realism and rough-and-ready empiricism appeared to be sufficient, as an epistemology of journalism.

In fact, many journalists in the past would have scoffed at the view that journalism needs an epistemology, of any kind. In their view, journalism is a craft learned by practice, not by doing philosophy. Journalism no more needs a formal epistemology than the craft of glass blowing needs a formal epistemology. Therefore, for centuries, journalism did not become entangled with philosophical disputes over what is known and what is knowable. Serious, theoretical study of journalism did not get much traction until the growth of schools of journalism and communica-tion at universities in the previous century. It was not so much the journalists who described their work as guided by a naïve and robust empiricism, or a positivism of fact. *That* was the heady description that academics used when they theorized journalism.

Nonetheless, journalists in previous centuries could not entirely avoid philosophizing about their practice. In most cases, it was public criticism of journalism, and the threat of some denial of press freedom, that prompted editors to produce justifications of their craft. In the 18th and 19th centuries, editors used general philosophies of society and the press, for example, liberalism, to

defend press freedoms or explain practices. By the middle of the 20th century, journalists were confronted with the expansion of academic (and other) critiques of journalism, bristling with theoretical constructs. Some serious, theoretical work on a journalism epistemology, and a delving into the psychology, economics and sociology of news, was needed after all.

If we regard these normative press philosophies (Christians et al., 2009) as an epistemological exercise, or at least containing epistemological thinking, we can speak of five epistemological eras, which align with five eras in the history of journalism ethics.[3]

FIVE EPISTEMOLOGICAL ERAS

The five eras are:

Era 1: 17th Century: Epistemology of Partisan "Truth" and Matters of Fact
Era 2: 18th century: Epistemology for Public Enlightenment
Era 3: 19th Century: Libertarian epistemology and News as Fact
Era 4: 20th Century (1900–1960): Epistemology of News Objectivity
Era 5: 20th century (1960–present): Alternate Epistemologies

Era 1: Partisan "Truth" and Matters of Fact

The first era is the emergence of the modern news press in the 16th and 17th centuries. Publishers of "newsbooks" and "broadsheets" in Western Europe sought to interest readers with primitive compilations of news and political opinion. Working under censors, editors defended their reports and opinions by claiming impartial truth. But, in such partisan times, their editorials were partisan "truths" to support the king or his opponents. When the first newsbooks appeared on the streets of London between the 1620s and 1640s, they were called *A True and Perfect Informer*, or the *Impartial Intelligencer* or the *Faithful Scout*, *Impartially Communicating*. Daniel Border opened the *Faithful Scout* in 1651 with a flourish: "Having put on the Armour of Resolution, I intend … to encounter falsehood with the sword of truth." In 1643, Henry Walley, editor of the *True Informer*, said: "Truth is the daughter of time … the truth doth not so conspicuoulsy appeare till a second or third relation." Compare Walley's view with this passage from a popular book by Kovach and Rosenstiel (2001, pp. 41–42) on today's journalism: "The individual reporter may not be able to move much beyond a surface level of accuracy in a first story. But the first story builds to a second … and … to a third story."

Editors adopted the emerging idea of a matter of fact. Every editor said their correspondents reported only matters of fact. As Shapiro (2000) showed, journalism was part of a growing "culture of fact" in Europe that began with the practices of law, and was stimulated by travel literature, the age of discovery, and experimental empirical science.

Era 2: Epistemology for Public Enlightenment

The norms of journalism evolved as newspapers grew in number and power during the 18th century Enlightenment (Briggs & Burke, 2002, pp. 74–105). Newspapers became the communication channels of the public sphere. Philosopher Jeremy Bentham (1983) argued that representative government depended on "publicity" from the press. The press espoused a "public ethics" (Ward, 2015a, pp. 153–196) that redefined the 17th-century norm of partisan truths in terms of truths for a public. The press was to inform and represent a public through informed opinion

based on scientific fact and public-based reasoning. In the 1720s, London editor Nathaniel Mist portrayed his *Weekly Journal* as a moral educator. It is a "History of the present Times" guided by "a love of truth." By the end of the century, Edmund Burke called the press a Fourth Estate, one of the governing institutions of society (Ward, 2015a, p. 193).

Meanwhile, many newspapers made money by providing facts to a news-hungry public. England's first daily paper, London's *Daily Courant* promised "to give news, give it daily and impartially." The *Daily Courant* said it would not comment on news "but will relate only Matter of Fact, supposing other people to have Sense enough to make reflections for themselves." In 1785, John Walters I said the *Times of London* would be a "faithful recorder of every species of intelligence" (Ward, 2015a, p. 174).

Era 3: Market Place of Opinion and News as Fact

The third era, the 19th century, developed the public ethic into a libertarian theory of the press (Siebert, 1956, pp. 39–71) characterized by a love of politically partisan writing and an increasing interest in news reporting. In the first half of the century, journalism was led by an elite, liberal, opinion press such as the *Times of London*. The libertarian theory, expressed by John Stuart Mill and journalists such as Walter Bagehot and Thomas Paine, developed from the earlier writings of John Locke, David Hume, and others. Libertarianism meant society should allow a maximally free marketplace of ideas, similar to a free marketplace for goods. The marketplace metaphor presumed that public deliberation would consist mainly in a clash or competition of ideas. In the long run, true reports and correct views would win out (Ward, 2014).

The second half of the century saw the emergence of a liberal popular press or "news for all" – from the penny presses of America to the tabloids of London. By the late 1800s, the popular press was the first mass medium – an inexpensive commercial press based on circulation and advertisements and owned by press barons such as Randolph Hearst and Joseph Pulitzer. Journalism was now the business of news. Reporters were sent out to gather news, to interview people, and to use new technology, such as the telegraph, to transmit news. Along with this news, journalism created a more factual form of writing which anticipated objectivity. In 1866, Lawrence Gobright of the Associated Press in Washington, DC, explained his factual style: "My business is merely to communicate facts. My instructions do not allow me to make any comments upon the facts which I communicate. … My dispatches are merely dry matters of fact and detail" (Mindich, 1998, p. 109). Meanwhile, editors claimed that the advent of news photography proved that reporting represented the world as it was. Charles Dana claimed that the *New York Sun* would offer a "daily photograph of the whole world's doings."

Era 4: Traditional News Objectivity

By the early 20th century, the epistemology of journalism came to be dominated by news objectivity. Journalists transformed their informal 19th-century empiricism into a strict methodological empiricism based on the dualisms of fact and value, and fact and interpretation. In newsrooms, news objectivity was an explicit, rule-bound, and firmly enforced method of story construction. It was developed by American print journalists (Ward, 2015a, pp. 236–241) followed by broadcast journalists. Associations, local and national, developed codes of ethics which stated that journalists serve the public by following the principles of truth-telling, objectivity, and editorial independence.

What type of objectivity did the journalists espouse? The ideal said that objective journalists published the truth about the world by neutrally recording the facts, and only the facts. From positivism and science, journalists took a veneration (and belief) in hard facts stripped of all

interpretation or bias. This was common sense realism *plus* a new methodological emphasis on reporting the "pure" fact.[4] From the professions journalists emulated the ideal of being impartial and disengaged. Journalism objectivity was a sort of a passive stenography, or faithful recording, of events and public affairs.

News objectivity demanded much more from reporters than an informal empiricism. It was a disciplined empiricism, objectivity with a capital O, calling for the elimination of the reporter's interpretation and perspective. Objective reporters were completely detached; eliminated all of their opinion; reported just the facts. Objectivity was a policing action against reformist values – the desire to interpret or campaign. Objectivity was operationalized in newsrooms through rules of story construction such as carefully attributing all opinion and giving equal weight or "balance" to rival views. Some news outlets would not use reporter bylines since a byline suggested the report came from a point of view.

Why Traditional Journalism Objectivity?

Why would journalists restrain their freedom to publish according to an elaborate system of rules? The historical reasons are many. Some major factors were: (1) the objective style fit the emphasis on news that was driving the development of a mass commercial press; (2) increased demand among the public for accurate, updated information, rather than partisan opinion; (3) the need to reduce sensational journalism, which raised public criticism; (4) the need to provide professional and ethical standards for a growing craft, and to protect journalists' independence; and (5) increased independence of newspapers from political parties and a motivation to publish news "for everyone."

From an ethical perspective, the most important factor was a growing public skepticism about the growing power of the press, and skepticism about the liberal theory of the press which advised society to just set the press free and it will be a responsible public informer. As the press came to enjoy a virtual monopoly on the provision of news, analysis, and advertising, the public became passive consumers of information dependent on data provided by a professional class of journalists employed by large news organizations. In the early 1900s, and beyond, this dependency raised public concern about the reliability of this mediating class of news workers. Did the press really serve the public or did it advance its own interests? Did it tell the truth or was it biased? Do not the press barons, press agents, and national advertisers determine what the press reports? In the fiercely competing papers of Hearst and Pulitzer, whose interests were really being served? Also, the public became increasingly vocal in criticism of the "yellow" popular press (Campbell, 2001). The rise of the press agent and the success of propaganda during the First World War called for a journalism that tested alleged facts (Schudson, 1978, p. 142). Amid this public concern, governments threatened draconian press laws. An impulse to chronicle the world was not enough for truthful, responsible journalism.

To assure the public, leading journalists and their societies sought "truth through ethics." That is, journalists agreed to an explicit and restraining ethic to increase the reliability of the mass press. The answer, it seemed, lay in articulating, teaching, and acting according to explicit codes of journalism ethics. Ethics would make the free liberal press responsible. It was the missing ingredient. It was hoped that a professional attitude among journalists would run counter to the growing power of the press and the worrisome influence of press barons, newspaper syndicates, and business on reporting. Journalism ethics became the professionally mandated ethics of an important social practice, rather than the personal and idiosyncratic values of individual journalists or their news outlets. Times had changed. In a society dependent informationally on journalism, many journalists accepted a collective responsibility to be truthful and objective.

The belief that it was necessary to impose news objectivity on journalism testified to a growing feeling that the world was too complicated and too full of manipulators to approach truth in a straight-forward manner. News objectivity signaled a step away from common sense realism and informal empiricism.

Challenge and Decline

Traditional news objectivity among mainstream media had its heyday from the 1920s to 1960s and then gradually lost influence, and fell out of favor with many journalists. News objectivity was criticized for being a myth, and for being philosophically naïve, out-of-date, and socially undesirable as a ruling ethic for journalism. Codes of ethics dropped the word "objectivity" and journalists retreated to the use of "safer," less demanding, norms, such as being accurate.

Looking back, the ideal of news objectivity was never unanimously accepted by journalists. Journalism objectivity was most popular in mainstream newspapers and broadcasters in the United States and Canada. In Europe, the ideal was not robust, and many journalists preferred to report facts from within a political perspective, writing for newspapers and magazines known for their conservative, liberal, or other perspective. Hampton has argued that as American journalists were developing the ideal of objectivity in the news, British journalists were resisting the trend (Hampton, 2008).

Also, there were always rival frameworks, such as the interpretative journalism of *Time* magazine, or the guerrilla journalism of Hunter S. Thompson. Muckraker Lincoln Steffens complained about the objective reporting style of Godkin's *New York Evening Post*: "Reporters were to report the news as it happened, like machines, without prejudice, color, and without style; all alike" (Ward, 2015a, p. 219). Henry Luce, who founded *Time* magazine in the 1920s, declared: "Show me a man who thinks he's objective and I'll show you a liar" (Baughman, 1987, p. 29). Both the magazine muckrakers of the early 1900s and the investigative journalists of the 1970s rejected neutrality in reporting, although they stressed the need for deep investigations into facts below the surface of things – facts not included in press releases or official statements. Other journalists, such as Norman Mailer and Tom Wolfe, practiced a personal journalism that looked to literature for its inspiration. By the late 1960s, journalists were beginning to chafe at the restrictions of objective reporting. Many journalists adopted an advocacy stance to their work. In the United States, for example, the tensions created by the Vietnam War and the civil-rights movement questioned the notion of news neutrality. The times seemed to call for a press that advocated for peace and the rights of minorities. The emergence of television, radio, and then the internet created more personal forms of media where a strict objective style seemed unduly restrictive.

Traditional objectivity bequeathed to journalism epistemology the problem of how to develop an alternative model for objective and truthful reportage in a new global media world. The positivism that grounded news objectivity came and went (Putnam, 2002). Philosophers and others argued that our facts, values, and perspectives travel together, influencing the facts we choose and the frame we bring to events. The reporter as a passive stenographer of fact was false to a practice that was increasingly active and purposive. At the same time, post-modern constructivism questioned objectivity *tout court.* In practice, a more interpretive and avocational journalism emerged online. Traditional news objectivity had little to say about such journalism other than it was subjective, and advocacy was not the job of professional journalists. News objectivity was now outdated, philosophically discredited, and unhelpful as a guide for new journalism. The door was open to alternate approaches. The fifth era of journalism epistemology was underway.

Era 5: Alternate Epistemologies

In the middle of the 1900s, the expanding academic study of media produced trenchant critiques of journalism's ethical principles and presumptions. Journalism was viewed, broadly speaking, through the lens of sociology. Journalism was a social phenomenon that could be studied and critiqued by the social sciences and other disciplines. Journalism could no longer avoid engagement with theorists that brought the perspectives of philosophy, political theory, economics, and social psychology to the practice.

Critiques Aplenty

Here is a summary of the main types of critique. In total, the critiques constituted a shift toward social constructionism. These critiques continue to be a part of current discussions about journalism in society.

Philosophical Critique   Across the 20th century, postmodernism (Connor, 1989) and relativism questioned the idea of objective truth. Lyotard (2013) questioned the alleged universal standards of objectivity in Western culture and science. Historian of science Thomas Kuhn (1962) argued that scientific revolutions were non-rational "conversions" to new sets of belief. Philosopher Richard Rorty (1979) attacked a "Platonism" that believed objective knowledge was a "mirror" of nature. Social scientists talked about truth and knowledge as value-laden, situated, perspectival, and socially constructed. Rather than ask "what is truth?" they asked: What leads groups of inquirers in the laboratory, university department, or newsroom to make truth claims? What are the practices, routines, social values, political aims, and institutional structures that shape such claims? Questions about logic and evidence gave way to questions about who controls science and who defines truth. In philosophy, pragmatists, such as Putnam (2002), argued that dualisms of fact versus value, observing versus interpreting, neutrality versus agency – as found in news objectivity – incorrectly portrayed truth-seeking of any kind.

Political Critique   Scholars in political science and political economy argued that journalistic "truth" reflects the interests of the powerful. Journalism is the manufacture of opinion not the neutral discovery of truth. This academic criticism was matched by complaints by citizens from the left and right of politics: that journalism is tainted by a liberal or a conservative bias. Noted linguist Noam Chomsky (1989) went so far as to claim that the mainstream press, such as *The New York Times*, produces propaganda, not truth, for political and business elites.

Social Critique   Associated with this political analysis was the criticism that journalism perpetuated harmful social attitudes toward certain races, ethnicities, women, and minorities. Journalists published stereotypical views of groups; they adopted, often unconsciously, questionable perspectives that maintain social hierarchies and inequalities. Feminists, for instance, argued that the construct of objectivity led to treating women as objects, not as persons. They criticized male-defined concepts of gender and male–female hierarchies in society. In journalism, a feminist ethics of care (Koehn, 1998) was constructed.

Conceptual Relativity Critique   A fourth critique argued that journalism's common-sense realism was naïve, psychologically. It ignored how our views of the world are mediated by webs of belief and conceptual schemes. A reporter's mind is not a passive blank slate upon which objects in the world imprint their image. Rather the mind is an active, organizing entity

that tries to fit what it experiences into a coherent grid of concepts (Pinker, 2003). Frame theory explored how journalists frame stories, where a frame is an organizing perspective on some topic. Journalists may frame drug addiction as a criminal story rather than a health issue, or frame a war as a noble fight for freedom rather than a war for economic supremacy in a region (Entman et al., 2009). Studies showed how the way that journalists define news – their news values – influences story selection (O'Neill & Harcup, 2009). Other studies delved into how ideology affects journalists' approach to war and other stories, and how the phenomenon needs to be studied as "socially situated text or talk" (Van Dijk, 2009, p. 191). Also, how journalists build a news agenda was studied as another factor shaping reports (Coleman et al., 2009). The lesson was that journalists, in constructing stories, need to be aware of, and sensitive to, conceptual and interpretive factors. Such factors are operating even when journalists think they are sticking to "just the facts."

Lack-of-Knowledge Critique   Another critique was that journalists lack knowledge when reporting on complex issues, making them ripe for manipulation. I call this area "knowledge infusion" since its promoters want to infuse knowledge and critical skills into the work of journalists. One promoter is Thomas Patterson whose *Informing the News* stressed the need for "knowledge-based journalism." Journalists cannot properly seek the truth or serve democracy unless they become knowledge professionals (Patterson, 2013, p. xv). Journalism needs to develop a body of knowledge, or a knowledge base, from which it makes sense of a complex world. Knowledge, Patterson stated, is systematic. It is "established patterns and regularities organized around conceptual frameworks and theories" (Patterson, 2013, p. 65).

Global Critique   Media ethicists have critiqued journalism as parochial and overly nationalistic. Journalism ethics has failed to keep up with the development of global news media. In this view, journalism ethics needs to construct an ethic for global reporting, including new norms for reporting on global issues from immigration to climate change (Ward, 2013).

Digital Challenges

Traditional views of journalism objectivity and truth were weakened not only by theoretical critiques but also by a revolution in practice. The current digital revolution created a global public sphere where many people produce media content and journalism.

The impact, in terms of truth, is twofold. First, what is true and who is truthful becomes a large and worrisome social problem. Large-scale disinformation increases public mistrust of media, as journalists are tarred with the same brush. In response, governments, media centers, and philanthropic groups are spending millions of dollars on media literacy so citizens can distinguish truth from falsity in media. Second, the new digital journalism is more interpretive and opinionated, ignoring the traditional ethical principles of neutrality, objectivity, and editorial independence from political viewpoints. At the same time, journalists attempt to revise their norms of practice to maintain truth-telling in an era of instant communication and reaction. Journalism ethics today is fragmented, an archipelago of rival aims and practices.

Reconstruction

Yet, amid this disorientating media revolution, new standards and methods are beginning to develop, forming an interdisciplinary digital epistemology (Zion & Craig, 2015). Many news organizations, such as the BBC in Britain and the Society of Professional Journalists in the

United States, are revising their codes of ethics. The new standards guide journalists in the use of information from social media, in partnering with community groups, in opining on their social media accounts, and in verifying information – text or image – provided by citizens and alleged eye-witnesses to events.

Conceptual reform of journalistic objectivity and truth is also underway. For example, I have proposed a theory of objectivity that is called "pragmatic objectivity" which is designed especially for practices such as journalism (Ward, 2015a, pp. 280–337). Objectivity is not absolute knowledge, achievable by only a minority of people. It is not the reduction of statements to pure fact. Rather, we begin with all of journalism, and all of knowledge, as forms of interpretation and then we test the interpretations using the best available set of standards.

Journalists and ethicists are even making progress on what seemed to be an insoluble problem: how to maintain the central ideals of verification and accuracy (Hermida, 2015) in an age of instant updates, live blogging of events, and the swift moving conversation on social media.

The traditional notion of verification insisted on time-consuming checks prior to publication. New works in journalistic epistemology explain how to verify after posting by using the knowledge of the "crowd" on-line. Researchers (Silverman, 2014) have begun to develop methods of verification for online images and other materials. For instance, sophisticated software can discern if an image was altered and where the image was taken.

Work is being done to allow journalists to use powerful new research tools and story-telling technology, such as software that analyses "big data" – finding interesting stories in large data bases. Other work shows how to adapt virtual reality to truth-seeking journalism and how to employ drones for covering breaking news.

Meanwhile, scholars and journalists have begun to construct a global media ethics with implications for epistemology (Ward, 2013). Globalists typically take universal principles as their starting point, for example, human rights principles. They make a cosmopolitan commitment to a global humanity their moral priority and then seek to incorporate parochial values, such as patriotism, into their global system. Their theories have implications for how journalists should cover important areas of journalism. For example, Tumber (2013) has argued that the basic norm for war reporters today is not a neutral objectivity but a "responsible engagement" with events and issues. Dunwoody and Konieczna (2013) recommended that journalists covering climate change and other scientific issues should use the "weight of evidence" principle to decide how much emphasis sources should be given in stories. The news objectivity notion of an equal balancing of viewpoints is incorrect or of limited value. Also, Wahl-Jorgensen and Pantti (2013) have promoted a cosmopolitan approach to the coverage of natural disasters, which includes journalists showing empathy and compassion for victims. This epistemology dissents from news objectivity which insists that reporters should be detached observers.

A global approach has led scholars, especially from the Global South, to call for a "de-Westernization" of journalism studies and theories of journalism epistemology (and ethics). Wasserman and de Beer (2009), for example, call for the inclusion of non-Western values, into textbooks, teaching, and theory. One important question is the appropriateness of the Western model of an aggressive free press for struggling, transitional democracies such as South Africa.

The Way Forward

Recent years have not been kind to traditional journalism objectivity. This leaves the study and advancement of truth and objectivity in journalism in a difficult position. Should journalists go back to a 19th century libertarian view of truth and democracy as requiring only a free clash of

opinion? Should they revive news objectivity and "double down" on the norms of objectivity to restrain bias? Truth and objectivity in journalism seek a secure footing in a changing media ecology.

Given the deep changes in journalism, I favor a more radical response (Ward, 2015b) of reconstructing journalism ethics from the ground up, including more nuanced, believable, and useful conceptions of objectivity and truth-seeking. Reconstruction includes the ambitious goal of constructing a global journalism ethics, and developing norms that guide engaged and per-spectival journalism. Moreover, the way forward includes journalists working with citizens to "detox" a public sphere redolent with unethical communication and extremism.

The lessons learned from the various critiques, above, need to be incorporated into journal-ism practice and teaching. The era when journalists could remain content with a practical view of journalism – a view that shuns theory and new learning about humans and society – is over. Also over is the era where journalists could hope to persuade citizens that what they practice is a neutral stenography of just the facts.

It is time for new, creative, and invigorated theorizing around the notions of truth and objectivity so that journalists have a clear view as to how they can help humanity challenge the ever-growing tyranny of extreme media in the service of hatred and tribalism around the world.[5]

NOTES

1. I have discussed what this reconstruction should look like in a number of books, from *Radical Media Ethics* to *Disrupting Journalism Ethics* and *Ethical Journalism in a Populist Age.*
2. Also, common sense can conflict with scientific and others views, usually at a general level, for example scientific determinism questions belief in a free will; materialism or evolutionary theory may threaten certain religious beliefs.
3. For a detailed history of the development of these norms, see Ward (2015a). Quotations from journalists in the early era are cited in this work, chapters 4–6.
4. On the development of objective of fact from Francis Bacon in the 17th century to the scientific ideal of "pure facts," see Chapters 2–3, Ward (2019c).
5. For more details on the shape of journalism ethics, see Chapter 6 of my *Disrupting Journalism Ethics.*

REFERENCES

Alston, W. (1996). *A Realist Conception of Truth*. Ithaca, NY: Cornell University Press.

Aristotle. (2001). *The Basic Works of Aristotle*, R. McKeon (Ed.). New York: Random House.

Aristotle. (2009). *Politics*, E. Barker Trans. Oxford, UK: Oxford University Press.

Baughman, J. (1987). *Henry R. Luce and the Rise of the American News Media*. Boston: Twayne.

Bentham, J. (1983). "Constitutional Code." In F. Rosen & J. Burns (Eds.). *The Collected Works of Jeremy Bentham* (Vol. I, pp. 243–278). Oxford, UK: Clarendon Press.

Briggs, A., & Burke, P. (2002). *A Social History of the Media*. Cambridge, UK: Polity.

Campbell, W. J. (2001). *Yellow Journalism: Puncturing the Myths, Defining the Legacies*. Westport, CT: Praeger.

Chomsky, N. (1989). *Necessary Illusions: Thought Control in Democratic Societies*. Toronto, ON: CBC Enterprises.

Christians, C. (2005). "Preface." In R. Keeble (Ed.). *Communication Ethics Today*. Leicester, UK: Troubador, ix–xiii.

Christians, C., Glasser, T., McQuail, D., Nordenstreng, K., & White, R. (2009). *Normative Theories of the Media: Journalism in Democratic Societies*. Urbana: University of Illinois.

Coleman, R., McCombs, M., Shaw, D., & Weaver, D. (2009). "Agenda Setting." In K. Wahl-Jorgensen & T. Hanitzsch (Eds.). *The Handbook of Journalism Studies* (pp. 147–160). New York: Routledge.

Connor, S. (1989). *Postmodernist Culture*. Oxford, UK: Blackwell.

Cornford, F. (1968). *The Republic of Plato*. New York: Oxford University Press.

Darwall, S. (2003). *Contractarianism/Contractualism*. Oxford, UK: Blackwell.

Dunwoody, S., & Konieczna, M. (2013). "The Role of the Journalist in Reporting International Conflicts." In S. J. A. Ward (Ed.). *Global Media Ethics: Problems and Perspectives* (pp. 171–190). Malden, MA: Wiley-Blackwell.

Entman, R., Matthes, J., & Pellicano, L. (2009). "Nature, Sources, and Effects of News Framing." In K. Wahl-Jorgensen & T. Hanitzsch (Eds.). *The Handbook of Journalism Studies* (pp. 175–190). New York: Routledge.

Hacking, I. (2000). *The Social Construction of What?* Cambridge, MA.: Harvard University Press.

Hampton, M. (2008). "The 'objectivity' Ideal and Its Limitations in 20th-century British Journalism." *Journalism Studies*, *9*(4), 477–493.

Hermida, A. (2015). "Nothing but the Truth: Redrafting the Journalistic Boundary of Verification." In M. Carlson & S. C. Lewis (Eds.). *Boundaries of Journalism* (pp. 37–50). London: Routledge.

Honderich, T. (2005). *The Oxford Companion to Philosophy*. Oxford, UK: Oxford University Press.

Horwich, P. (1990). *Truth*. Oxford, UK: Basil Blackwell.

Koehn, D. (1998). *Rethinking Feminist Ethics*. London, UK: Routledge.

Kovach, B., & Rosenstiel, T. (2001). *The Elements of Journalism*. New York: Crown.

Kuhn, T. (1962). *The Structure of Scientific Revolutions*. Chicago: University of Chicago Press.

Kunne, W. (2005). *Conceptions of Truth*. Oxford, UK: Oxford University Press.

Lyotard, J. (2013). *Why Philosophize?* C. Enaudeau, (Trans.). Cambridge, UK: Polity.

Mindich, D. (1998). *Just the Facts: How "Objectivity" Came to Define American Journalism*. New York: New York University Press.

O'Neill, D., & Harcup, T. (2009). "News Values and Selectivity." In K. Wahl-Jorgensen & T. Hanitzsch (Eds.). *The Handbook of Journalism Studies* (pp. 173–186). New York: Routledge.

Patterson, T. (2013). *Informing the News: The Need for Knowledge-based Journalism*. New York: Vintage Books.

Peterson, T. (1956). "The Social Responsibility Theory of the Press." In F. Siebert, T. Peterson & W. Schramm (Eds.). *Four Theories of the Press*. Urbana: University of Illinois Press, 73–103.

Pinker, S. (2003). *The Blank Slate*. New York: Penguin Books.

Putnam, H. (1981). *Reason, Truth, and History*. Cambridge, MA: Cambridge University Press.

Putnam, H. (2002). *The Collapse of the Fact/Value Dichotomy and Other Essays*. Cambridge, MA: Harvard University Press.

Rescher, N. (1988). *Rationality: A Philosophical Inquiry into the Nature and the Rationale of Reason*. Oxford, UK: Clarendon Press.

Rorty, R. (1979). *Philosophy and the Mirror of Nature*. Princeton, NJ: Princeton University Press.

Schudson, M. (1978). *Discovering the News: A Social History of American Nnewspapers*. New York: Basic Books.

Shapiro, B. (2000). *A Culture of Fact*. Ithaca, NY: Cornell University Press.

Siebert, F. (1956). "The Libertarian Theory of the Press." In F. Siebert, T. Peterson & W. Schramm (Eds.). *Four Theories of the Press* (pp. 55–78). Urbana: Illinois University Press.

Silverman, C. (Ed.). (2014). *Verification Handbook*. Maastricht, Netherlands: European Journalism Center.

Stephens, M. (1997). *A History of News: From the Drum to the Satellite*. Fort Worth, TX: Harcourt Brace.

Tumber, H. (2013). "The Role of the Journalist in Reporting International Conflicts." In S. J. A. Ward (Ed.). *Global Media Ethics: Problems and Perspectives* (pp. 50–68). Malden, MA: Wiley-Blackwell.

Van Dijk, T. (2009). "News, Discourse, and Ideology." In K. Wahl-Jorgensen & T. Hanitzsch (Eds.). *The Handbook of Journalism Studies* (pp. 120–145). New York: Routledge.

Wahl-Jorgensen, K., & Pantti, M. (2013). "Ethics of Global Disaster Reporting: Journalistic Witnessing and Objectivity." In S. J. A. Ward (Ed.). *Global Media Ethics: Problems and Perspectives* (pp. 191–213). Malden, MA: Wiley-Blackwell.

Ward, S. J. A. (Ed.). (2013). *Global Media Ethics: Problems and Perspectives*. Malden, MA: Wiley-Blackwell.

Ward, S. J. A. (2014). "Classical Liberal Theory in a Digital World." In R. Fortner & M. Fackler (Eds.). *The Handbook of Media and Mass Communication Theory* (Vol. 1, pp. 3–21). Malden, MA: Wiley-Blackwell.

Ward, S. J. A. (2015a). *The Invention of Journalism Ethics: The Path to Objectivity and Beyond*, 2nd ed. Montreal, Que: McGill-Queen's University Press.

Ward, S. J. A. (2015b). *Radical Media Ethics: A Global Approach*. Malden, MA: Wiley-Blackwell.

Ward, S. J. A. (2019c). *Objectively Engaged Journalism: An Ethic*. Montreal, Que: McGill-Queen's University Press.

Wasserman, H., & de Beer, A. (2009). "Towards de-Westernizing Journalism Studies." In K. Wahl-Jorgensen & T. Hanitzsch (Eds.). *The Handbook of Journalism Studies* (pp. 428–438). New York: Routledge.

Zion, L., & Craig, D. (2015). *Ethics for Digital Journalists: Emerging Best Practices*. London, UK: Routledge.

9

Photojournalism Ethics

A 21st-Century Primal Dance of Behavior, Technology, and Ideology

Julianne H. Newton

Everything that happens is fluid, changeable. After they've passed, events are only as your memory makes them, and they shift shapes over time.

Charles Frazier (2006, p. 21)

We need our intellectual eyes wide open.

Clifford G. Christians (2005, p. 3)

The photographer Walter Curtin (1986), who lived through much of the 20th century, once said he was waiting for the day when he could simply blink an eye to take a picture. He would see something, blink, send the electrical impulses down his arm, and transfer the energy of what he saw through the touch of his fingertip to sensitized material. Today, entering the third decade of the 21st century, Curtin's prescient imagining is close to actuality. In fact, we can now use brain-computer interface to play video games (Abu-Rmileh, 2019).

I often wonder how our perceptions of such ethical issues as photographic intrusion, the gaze, or even digital manipulation might shift if we removed the camera from the process of making images so others could see what we see directly through our eyes. Would the instant of perceiving light reflected from people and things become more credible or less so? Would photography, or "light writing," be viewed as more of an extension of human perceptual processes than a process of constructing false realities? Would seeing and creating images be considered processes of thinking and being, parallel with writing words, rather than problematic exercises of power or deception?

Ethical discussions about the practice of photojournalism and the meanings and significances of its resulting artifacts and influences often are sidetracked by general confusion about the nature of seeing and practices related to seeing. Seeing begins and ends in the living organism of the human body. Yet the process of seeing—a biological process—and, by extension, the practices of seeing, have been alternately ennobled/vilified, overrated/underrated, blamed/ignored. Even seeing by robot has to at some point become seeing by human if we are to see it at all. This chapter explores photojournalism's role in this normative dialectic by addressing three aspects of seeing: behaviors, technologies, and ideologies. This chapter focuses on human seeing, not to extoll the superiority of human vision, but, following Cliff Christians' (2019) humanocentric

FIGURE 9.1 Dancing galaxies (NGC 2207 and IC 2163) twirling around each other. Captured by NASA's Spitzer Space Telescope. NASA, ESA/JPL-Caltech/STScI/D. Elmegreen

ethics, the focus is on the ethical doing and perceiving of human visual reportage. In the end, regardless of the assistance of external entities, our perception and reflection determine what we understand to be true. And that is the heart of visual ethics.

VISUAL BEHAVIOR

The human visual system is driven by both conscious and nonconscious processes of the brain. We are drawn to movement, brightness, sharpness, and difference as part of our physical surveillance and self-protection processes. We are particularly drawn to look at violent or sexual activity, the color of blood, a sudden movement or noise. Yet, if we choose to do so, we can ignore the fluttering movement of a golden leaf framed by a ray of sunlight as it spirals downward from a tree limb—or turn away from seeing the suffering of millions of other humans. Both conscious and nonconscious cognitive processes drive human visual behavior, which encompasses all the ways we use seeing and imaging in everyday life (Newton, 2005a).

The visual system is part of the larger system of human perception, the physiological and psychological means through which we respond to and make meaning of stimuli. Brain researchers estimate at least 75 percent of information we take in is visual. One matter of debate in cognitive neuroscience is whether we know something when we perceive something (as Aristotle maintained)—or whether knowledge comes afterward (as Descartes maintained), when the brain has processed the stimuli and made meaning by organizing stimuli according to innate and learned patterns. Although research supports the former as the nonconscious foundation for decision-making (Damasio, 1999; LeDoux, 1996), research also supports the latter in that we can, by drawing on our continuum of experiences, make decisions based on accepting responsibility for our actions (Gazzaniga, 2005). Cognitive neuroscientist Michael Gazzaniga (2005) puts

it succinctly: "Brains are automatic, but people are free. Our freedom is found in the interaction of the social world" (p. 99). He explains:

> Most moral judgments are intuitive.… We have a reaction to a situation, or an opinion, and we form a theory as to why we feel the way we do. In short, we have an automatic reaction to a situation—a brain-derived response. Upon feeling that response, we come to believe we are reacting to absolute truths. What I am suggesting is that these moral ideas are generated by our interpreter, by our brains, yet we form a theory about their absolute "rightness." Characterizing the formation of a moral code in this way *puts the challenge directly on us* [emphasis added].
>
> (p. 192)

This ecology of seeing through which a human organism gathers and makes use of visual stimuli not only creates and stores images internally but also can create and produce visual stimuli for other humans to see (Newton, 2005a). Bodily generated visual stimuli can be as subtle as a tightened muscle in the face or as intricate as a pirouette, as external as the skin or as internal as our dreams. Following Edward T. Hall (1959) and Marshall McLuhan (1964), we extend our internal processes of perception and communication via external forms, such as clothing, pen and ink, paper or canvas, light-sensitive materials, electronic media and architecture. Each process entails its own set of behaviors. For example, we alter our behaviors when we think we are being observed—either by other humans, or by extension, by seeing devices such as cameras. This tendency is not unique to humans. Heisenberg's principle describes the effect of observation on the action of subatomic particles. Yet the changes in human behavior resulting from being observed surprise us. The social psychologist Stanley Milgram (1977a, 1977b) described such unique "photographic behavior" patterns as the tendencies to cheat less on exams and to give more money to charity when we think someone is watching or even if a camera is simply recording our actions.

We can further extend behavioral effects to media consumption and production. We have little choice but to consume some forms of media; a highway billboard, for example, casting a nearly nude figure alongside a bottle of beer is likely to grab our attention because of its disproportionate size and distinctive, out-of-context content. Other media we can clearly choose to see or to ignore; a news photograph of a war scene from Iraq, for example (see Figure 9.4), may, sadly and outrageously, look like dozens of other war scenes we've viewed in recent years and hence go relatively unnoticed within the larger system of media imagery.

VISUAL TECHNOLOGIES

Moss (2001) offers a useful definition of technology as "the means by which human societies interact directly with and adapt to the environment. Technology can also refer to the steps taken, or manufacturing process used, to produce an artifact (npn)." The most significant technology, then, for the present discussion, is the brain, which gathers stimuli perceived by the body and creates what we think of as the mind.

Our bodies evolved to believe what the eyes see, to translate light rays into electrical signals and send them along the optic nerve to the thalamus. From there a rough schema of what we see is quickly—and first—sent to the amygdala, the part of the brain that can signal the body to fight or flee. In the meantime, a more detailed schema of what we see is sent (more slowly in brain time) to the visual cortex for conscious processing (LeDoux, 1996).

We found ways to translate our perception of the multidimensional world into externalized forms—first with scratches on bone fragments and rough drawings on cave walls, then through drawing and painting on paper and canvas. We created visual symbol systems—writing—to convey the words we had learned to articulate. We devised techniques such as two-dimensional perspective to create the illusion of a third dimension—depth—within a frame limited by height and width. We used Aristotle's observations of the behavior of light rays passing through a hole in a leaf to help us construct a camera obscura for observing the world and to help us draw more realistically. Then we determined processes through which to convert the energy of light to record the reflectances of objects "out there" into forms we could peruse and collect at will. In this way, photography, or light writing, came to be. Added to the reproducible texts we already had created through movable type and printing processes, we quickly determined the usefulness of combining verbal and visual reports of daily occurrences as a means of disseminating information about our world.

Even more profound for the extension of the human perceptual system was learning how to use other wavelengths from the electromagnetic spectrum—radiowaves, for example—to carry sound and other forms of energy across great distances and quickly. But only now, in the 21st century, are we learning how to use the "speed of mind," as McLuhan termed it, to move prosthetic devices and communicate. Through our behaviors, we have learned how to extend the technology of the brain and central nervous system into machines and processes—print publications, movies, television, the Internet, smart phones, virtual realities, and images of information, advertising, entertainment, art, and social interaction.

This gloss of the history of communication technologies highlights the extensional properties of contemporary media. They originated with humans. Much of the time they are still operated and used by humans; increasingly they are operated and used by forms of artificial intelligence, which, of course, humans originated. Yet we more often blame media technologies than ourselves for abuses of those technologies. This problem can apply to the brain as a technology, as well as to what we traditionally consider a technology—machines constructed of inanimate materials to accomplish specific tasks. What we too seldom stop to consider is that blaming mass or personal media technologies too easily removes responsibility for our use of them from the primary mediating entity we can indeed influence through conscious reflection—our own brains.

VISUAL IDEOLOGIES

For this discussion, I define ethics as the dynamic process through which we determine how to behave in daily life. Media ethics, then, become the dynamic process through which we determine how to create, disseminate, and use communication forms to behave and live. Communication forms are the messages we create, perceive, and convey via various transmission and reception systems in order to interact, not only with other humans but also with other entities. It is fundamental that our understanding of the meaning of every stimulus is mediated, regardless of the source of the stimulus. We know, for example, that anything we think we see directly with our own eyes is a mediated form organized by the brain (Gazzaniga, 2005). That organization process takes time—milliseconds, yes, but time nonetheless—and is influenced by the physiological abilities of our individual brains, by our individual experiences and by the nature of the stimulus itself. The great Spanish perspectivist Ortega Y Gasset (1941) said it well: "Yo soy yo y mis circunstancias" ("I am myself and my circumstances"). Gazzaniga (2005) believes the seat of the soul (which he calls the interpreter) is a part of the brain that attempts to make sense of nonconscious responses to stimuli as it creates a story of the self. This scientific basis for 21st century

understanding of the self supports the social construction of the self espoused by 19th-century psychologist William James (1890/1962).

Following this line of thought, visual media are any form of imagery we create, perceive or organize for internal or external communication. Visual ethics are the dynamic process through which we determine how best to create, disseminate, and use image-based stimuli. Inherent in that definition are the behaviors—both conscious and nonconscious—humans enact as perceivers and communicators.

PHOTOJOURNALISM

A journal is a record of daily activities—those behaviors, including thoughts, that may be either internally or externally perceived and recorded. Photojournalism is writing with light to report daily activities. That is the basic definition. However, the practice of photojournalism connotes far more than that simple definition indicates.

Photojournalism, now often called visual journalism in order to encompass other forms of nonfiction imaging such as video and graphics, is a professional practice through which visual reporters seek, document, and present moments of time to multiple viewers. This chapter, titled "Photojournalism Ethics: A 21st-Century Primal Dance of Behavior, Technology, and Ideology," focuses on photojournalism as both still and moving reportage. As human beings, visual reporters possess varying degrees of skill and talent, preparation and luck, resources and integrity. Their behavior has consequences beyond those of many other professionals' behavior because their products are (1) disseminated as if they are visual facts, and (2) we tend to believe and remember what we see when it looks real, even if we have reason to question that belief. Although a viewer pausing to contemplate an image of photojournalism might be fully capable of distinguishing whether the image is authentic or false, too seldom do viewers stop to do so, especially in this time of propagandistic memes and deep fakes. Images of photojournalism, therefore, carry weight beyond words: the human perceptual system has evolved to first believe what it sees, question only later, if at all, and to remember what it saw, even if what was seen is proven to be untrue.

This inherent authority of images of the real feeds a range of ideological points of view. On one end of the ethical continuum, an idealized photojournalist visually captures history, documenting moments and people for the world's diary. On the other end of the ethical continuum, a photojournalist is little more than a scavenger, a voyeur turning tragedy and victory into commodities for sale through media industries—yet still, and profoundly, human in effects on perception and living. Similarly, the concept of photojournalism evokes a range of ideological attributes: objectivity/subjectivity, power/powerlessness, truth/fiction, document/commodity, self/other, rescuer/victim, seen/unseen, visible/invisible.

The core of the best photojournalism is an intuitive connection visual journalists feel not only with individuals but also with all of humanity. This is evidenced in self-sacrificing acceptance of the "call" of photojournalism, which some compare to a spiritual calling, a call that lures those destined to be international seers into solitary personal lives and the willingness to put themselves at ultimate risk for the sake of an image testament to their witness. The important point to note, however, is that what they do is not really about the images. What good photojournalists do is seek to understand humankind by understanding human life and showing it to other humans. Good visual journalists seek to know themselves by knowing others, gathering visual information for that part of the brain that weaves the tale of the self and trying to satiate existential curiosity about the nature of life and death. Good visual journalists operate from

a base of hope that in seeking, in seeing, in documenting, in showing the many selves of the world to the world, that world can become known and can move beyond the darkness of fear and loathing engendered by ignorance into the brightness of acceptance and caring engendered by awareness.

All this, from a practice some believe has more in common with pornography (as an exercise of voyeurism, domination, violence, and exploitation) than with enlightenment? Yes.

Consider that the simultaneous, conflicting passions of the human drive to know/survive and the fear of knowing/dying fueled the Western ideology of the biblical location of original sin within the feminine, with Satan's deception and Eve's hunger for the apple of knowledge.

This classic parable applies to photojournalism in two ways. One, people want to know, in fact are driven to know, and seeing is the primary way most people know. Photographers and videographers document what they see and make images based on their abilities to see and know. Other people then see and learn through the eyes of those controlling the recording devices. Two, we harbor an uneasy, ongoing questioning of what we see, even as we yield to our instinct to believe what we see. People are both drawn to look at and repelled by the frightful and the serene. The frightful is too harsh a light, too reflective of our worst attributes as living organisms and fears of the uncontrollable—yet so often essential for survival. The serene can be too soft a light, too reflective of our best attributes as living organisms—yet, again, essential for survival in its own way. The frightful assures us we are alive. The serene comforts and invites contemplation.

Photojournalism embodies a masculine/feminine metaphor for understanding the gaze. The lens looks outward, penetrating space and moment, then receives the light, holding a moment that has the potential to become a frame of collective memory. Through the extension of human vision via photojournalism, seeing and its instruments (such as cameras) are both active agents, extending into space and time to capture and create moments and likenesses, and passive conduits, receiving light to record form and action for later contemplation and communication. It is the technology of the human organism consciously and nonconsciously interacting with the technology of the camera that facilitates the interaction of both active and passive elements of vision, knowing, decision-making and behaving.

ROOTS OF THEORY AND RESEARCH IN PHOTOJOURNALISM ETHICS

We can divide the study of photojournalism ethics into two categories: process and meaning (Newton, 1984, 2005). Ethics of process in photojournalism refers to how images are gathered, created, and used. Ethics of meaning in photojournalism refers to what images convey. Intentionality becomes an issue in both categories, which are not mutually exclusive but rather overlap in complex ways in everyday practice. Does a photographer intend to show the truth or to deceive? Does an editor intend to convey the truth of an event or to use an image to startle or draw a reader/ viewer? Does a viewer engage an image with the conscious intent to determine authenticity and respect the human framed within? Or does the viewer read the image through the filters of uninformed, nonconscious prejudice, seeing only what she or he chooses to see?

Finding an effective starting point for a review of literature is difficult. We can reasonably argue that the roots of observing the world lie in the survival tools with which the human species evolved: the ability to observe our surroundings, perceive danger and respond, choose and construct environments to protect our young, and create symbols external to the body for communicating with other humans. As noted earlier in this chapter, photography's own technological ontology blossomed from our desire to reproduce realistically what we see in the world around

us. If only we could find a *Pencil of Nature*, as William Henry Fox Talbot (1961), the inventor of the paper negative, termed it, we could capture what is true. Yet even the image credited as the "world's first photograph" incorporated the hard-to-discern phenomenon of collapsing more than eight hours of shifting highlights and shadows into one still, ambiguous frame (Williams and Newton, 2007).

In middle and late 19th-century Europe and America, the technologies of talbotypes, daguerreotypes, tin types, and cartes de visite became the media for the masses to record self and other. Previously, only the rich had been able to indulge this passion through the use of the masterful hand art of oil painting. Within decades, the painstaking recording of life became a relatively rapid pursuit, collapsing the days, weeks, months required for drawing or painting into eight photographic hours, then into 30 minutes, then into fractions of a second, and now an instant equivalent to or perhaps even faster than the speed of mind. The complexities of recording technologies continued to diminish, evolving from a carefully coated pewter plate, to paper negatives, to the roll film loaded by technicians into George Eastman's Brownie box camera, to 35-mm film loaded by consumers and pros alike, to the instant pictures of Edward Land's Polaroid process, to the digital-image processes proliferating in our 21st century world via high-resolution cameras and ubiquitous smart phones.

Important to note here are converging forms of technological advances: (1) tool (brain and eye; hand; stylus, brush and pen; camera; computer); (2) medium (energy, light, memory, earth, stone, clay, pigment, ink, paint, cloth, chemical, electricity, byte); (3) container (living cell; DNA; body, including brain; rock, wall, landscape; token; sculpture; structure; paper; canvas; book; photograph; radio; movie; telephone; television; computer; building). Along the way observer and observed, self and other, body and mind, object and subject shift from what once were considered discrete elements of the processes of knowing into the integrated dialectics of the ecology of knowing in a world made increasingly complex through our own doing.

Visual journalism offers a form of virtual living through which we experience worlds beyond our own. The people portrayed in images of photojournalism are, in some ways, our avatars, offering journeys to spaces and moments about which we might wonder but never actually visit. And actual virtual and augmented realities inform our understanding of why we are drawn to the real. Through the frame, screen and headsets we enter a timeless world of the other by taking on the other's image self—how else can we understand what we see unless we have some memory, some frame of reference for empathy, myth, understanding?

THE LITERATURE

The literature of visual ethics derives from several strains of thought: (1) the physical sciences, which include principles of physics and biology; (2) the social sciences, which include principles of observation, interaction and annotation; and (3) the hermeneutical traditions of philosophy, exploration of discourse practices, artistic expression, and introspection.

Through the physical sciences, we came to understand the properties of energy, particularly the behavior of light as it passes through space, and refracts through and reflects off objects. Our study of the unique behaviors linking observation and being observed originate in the physical responses of atoms and their parts, and emanate outward to include reflexive humans whose behaviors shift when observed by other human eyes as well as by the mechanical eye of the camera (Milgram, 1977a, 1977b).

Through the social sciences, we came to understand the properties of human interaction, particularly the desires for preservation and connection that drive our voyeurism, observational

imperative, exoticization of the other, stereotyping, preoccupation with self, and empathic expression of love and hate, joy and sorrow.

Through hermeneutics, we employ dialogue, letters, journals, art, dance, theater, mass and personal media, in the discovery of self through interaction with others, presentation of self through performance, and the self's interaction with self.

For the origins of photojournalism as a specific field, we might look to the 1930s documentary movement promulgated by the U.S. Farm Security Administration, to the picture magazines originating in Europe and then proliferating in the United States, then to the 1960s when photojournalism became part of journalism curricula and blossomed in newspapers as editors learned the readership value of pictures. For ideological exploration of photojournalism, we can look to the decade of the 1970s, which generated Stuart Hall's (1973) exploration of the news photograph, Susan Sontag's (1973) articulation of photography as aggressor, Tuchman's (1978) characterization of news as constructed event, Foucault's (1977) application of panopticism, and such movements in anthropology and sociology as Harper's (1979, 1981) assertion that social science photographers must earn the ethical right to photograph.

Early work in photojournalism ethics focused on both process and meaning. One of the earliest studies, Emily Nottingham's (1978) ethnographic investigation of subject feelings during a photographic event, laid the groundwork for Newton's qualitative (1983) and quantitative (1991) examinations of the influence of photographers' behavior on how people felt about being photographed. On the other side of the process continuum is research exploring what editors and photographers think about various practices in photojournalism. Craig Hartley (1981) conducted what may be the first study of such practices as setting up a scene or photographing the victim of a wreck. Sheila Reaves (1995a, 1995b)) moved the research discussion into the digital arena with her seminal explorations of the differences between newspaper and magazine editors' views on the ethics of altering images.

Although Ken Kobre has long addressed ethical issues in photojournalism practice in his classic *Photojournalism: The Professionals' Approach* (2016), Paul Lester produced the first comprehensive publications on photojournalism ethics, editing a report issued by the National Press Photographers Association (1990) and writing his philosophically based book *Photojournalism: The Ethical Approach* (1991). Tagg's (1988) *The Burden of Representation* explores issues of power and commodification of subjects' images through photographic practices, including photojournalism. Gross et al. (1991) addressed the moral rights of subjects in visual media in their book *Image Ethics*. Through her book *The Burden of Visual Truth: The Role of Photojournalism in Mediating Reality* (2001), Newton extended the discussion to examine the interplay of responsibilities of subjects, photographers, editors, and viewers in the creation and use of photojournalism images.

The last twenty-plus years have seen an explosion of scholarship about the visual, an indication of increased recognition of the prominence of visual forms of communication in contemporary life. Among the most important works are Barbie Zelizer's (1998) explorations of the influence of photojournalism archives on what and how we remember such events as the Holocaust and David Perlmutter's (1998) work on the use of photojournalism images in international politics. Lester (1996) and then Ross and Lester (2011) contributed significantly to our understanding of the potential harms of stereotyping people in media images. Tom Wheeler (2002) explicated the concepts of phototruth and photofiction in the digital age and outlined his theory of viewer expectations of reality. Gross, Katz, and Ruby edited a second book, *Image Ethics in the Digital Age* in 2003. Newton's (2001, 2005a, 2005b; 2020) work on visual ethics and a typology of visual behavior outlined a theory and method for analyzing intersections of ethical issues arising through the creation, dissemination and viewing of photographs of people. Lester

(2018) published *Visual Ethics*, a guide for photographers, journalists and filmmakers. Notably, Dahmen et al. (2019) outline a solutions journalism approach for visual journalism. And Staton and Newton (2019) offer an extensive annotated bibliography on photojournalism.

THE INTERSECTIONS OF BEHAVIORS, TECHNOLOGIES, AND IDEOLOGIES

In photography, truth is an ideology, an encoding of information deemed authentic within a frame according to conventions of professional practice (sharp, well exposed, not set up, not digitally manipulated). Yet truth in photojournalism is more about the mindfulness of the seer than the neutrality of a mechanistic technology. Truth in pictures is about truth in self, the search for moments of empathy as gateways to moments of revelation about the story of the self. Here seer and self may be photographer, subject, viewer; each is interchangeable. Yet each is different— never the same. Applying Foucault (1988), we might say that photojournalism is a "technology of the self," a tool for excavating society and culture for the bones of truth about the "history of the present."

It is here that technology, behavior, and ideology come together. Life itself is energy; self is energy; light is energy. Whether recorded by gelatin silver granules or by a sensor that converts light into digital bits, energy is at play. Laura Marks (1999) argues that this is enough to maintain the organic correspondence so long valued in photography and used as the justification for photography's ability to record "truth."

Yet it is more complicated than that, as we know. Let's take an example, a set of front-page images published by *The Oregonian*, winner of eight Pulitzer Prizes.

On April 2, 2003, *The Oregonian* published a front page (see Figure 9.2) featuring a photograph of a grieving Iraqi father kneeling beside the wooden coffins of his children. By itself, the photograph evokes empathy, engendering a feeling of connection between viewer and subject: one of the greatest—if not the greatest—losses a human can face is the death of one's child. For two weeks before the publication of the photograph, Oregonian editors had selected photographs showing U.S. soldiers in battle in the relatively new war in Iraq (Randy Cox, 2003).

That night, after the front page had already been designed, another story from Iraq broke. Missing POW Jessica Lynch had been rescued. With the early deadline for statewide delivery upon them, *The Oregonian* editors quickly rebuilt a section of the front page to run the Lynch rescue story as an off-lead on the top left side of the page (see Figure 9.2).

Many Oregonians who received the paper that morning were not pleased with the page design that gave more prominence to a photograph of an Iraqi than to the photograph and accompanying story about Lynch. Readers communicated their negative responses by canceling subscriptions and calling editors to accuse them of being unpatriotic and caring more about Iraqis than U.S. soldiers. By the time the noon April 2 edition of *The Oregonian* hit the Portland streets, editors had had time to redesign the front page to feature a large photo of the rescued Jessica Lynch (see Figure 9.3).

What had transpired? Both photographs were true and it is likely that each was selected for front-page, above-the-fold display because of its news value and visual appeal. To some readers, however, the photographs and page designs connoted more than visual reports of news events. Consider a set of possible interpretations of how the images were used. The photograph of the grieving Iraqi father made clear that the war was harming the innocent; it also focused attention on the "enemy" rather than on U.S. troops. The photograph of Corporal Lynch affirmed U.S. military prowess by portraying a female soldier as a heroine rescued from the enemy by U.S heroes. The first photograph proclaimed the injustice of war on citizens who happen to get in its

FIGURE 9.2 *The Oregonian*, Sunrise Edition, April 2, 2003. Used with permission

way, visually reporting a negative aspect of the U.S. invasion of Iraq. The large photograph of a rescued Corporal Lynch affirmed U.S. ability "to make things turn out all right" in the face of an enemy who had captured and perhaps tortured (we learned later how Iraqi medical personnel had helped save Corporal Lynch) a young U.S. woman who had entered the military to get an education.

FIGURE 9.3 *The Oregonian*, noon edition, April 2. Used with permission

The photographs were of real people and real events. Yet each came out of and entered into discourses of individual differences, national identity, and international disagreement. One could be read as about loss of innocence, the other as about recovered pride and vindication. Each photograph was contextualized by the front-page design of headlines and text within a newspaper frame—and by the perceptions and biases of reader/viewers.

The next day, April 3, *Oregonian* page 1 editors returned to visual content that was similar to the content they had published for two weeks preceding the breaking of the Lynch story. In Figure 9.4, we see the story of the War in Iraq as it was most acceptable to many U.S. readers/viewers in 2003: U.S. troops marching on Baghdad as fighters for freedom and national security.

CONCLUSION

The prevailing culture of visual journalism, coupled with humans' perceptual propensity for believing–without reflection—that what looks real is real, confound our understanding of the real.

> In other words, the very nature of being photographic was a good enough reason for all of us to consider the photograph as a reliable witness of events in our daily life.… However, upon closer inspection and scrutiny, we start to find all sorts of loopholes that bring up a high degree of doubt to this otherwise empirical comparison between the photograph and reality.
>
> (Meyer, 2002)

Mexican photographer Pedro Meyer (1995) is known for images he constructs, through digital processes, to be "true fictions." He believes that the digital process facilitates his ability to communicate truths that are truer than the original images alone. In this way, he calls attention to and makes use of the all-too-real human perceptual principle known as the Gestalt. Formulated by early 20th-century psychologists, the principle asserts the now-classic idea that the whole is greater than the sum of its parts. One way to apply this principle is to consider how different a room looks when we remove one item—a piece of furniture, a painting, a window. The great *Life* magazine picture editor Wilson Hicks articulated the principle in regard to journalism when he noted that putting a picture and words together communicated meaning beyond what either the picture or words alone communicated. To envision this "third effect," try covering up the main headline in one of the sample pages from *The Oregonian*. What if, instead of "U.S. Forces Sweep Past Republican Guard Units," the headline had read, "U.S. Forces Find Lynch in Care of Iraqi Physician"? Or change "Troops Close on Baghdad" to "Troops May Kill Thousands." The content of the images has not changed, but the way our minds perceive and use them to make meaning from the combination of words and images changes dramatically.

When the Gestalt principle is applied through digital manipulation (for example, envision changing Lynch's smile to a sob), the content of the image itself is changed. In art, such as with Meyer's work, the act is considered ethical because the artist seeks to express truths for which there may be no real-world referent. In photojournalism, however, the act is decidedly unethical. Why? Because we expect an image produced and disseminated through journalistic processes to be exactly like the real world. If the image looks real, it should be real. Yet we know that photographers, subjects, editors, and viewers can mislead, deceive, and even lie with images just as they can with words. Intention is sometimes conscious, sometimes not. Subjects can pose in a certain manner (such as President Bush did when declaring victory in Iraq), photographers can frame a nonrepresentative part of a scene or use photographic techniques to blur or freeze action, editors can select a nonrepresentative but highly appealing image to report a story, designers can place an image next to words that anchor its meaning erroneously, and viewers can misread (or ignore) the content of an image to support preconceived or even nonconscious ideas about reality.

Photojournalism organizations, such as the National Press Photographers Association (2019), have enacted codes of ethics to guide the professional practice of photojournalism. However, the

FIGURE 9.4 *The Oregonian*, April 3, Sunrise Edition. Used with permission

burden of visual truth must be carried by all those who make and consume images of visual journalism—not just the professionals who make the images (Newton, 2001). This assertion is idealistic but worth pursuing through education about the ways images communicate. Although we cannot pause to consciously analyze every image or everything we see, we can occasionally pause to consider the ethical complexity of image making and visual perception. Over time, we can increase our awareness of ethical concerns, as well as our visualcy (Newton, 2018).

I want to conclude this synopsis of photojournalism's relationship to reality, to technology, to truth, and to contemporary culture through ideological discourse by exploring the idea of "reasonable truth," the best information a human can discern, given the variables of perception, behavior, culture and institutional practices that affect all understanding between humans (Newton, 2001).

The call to continue the search for a reasonable truth through whatever means available to us is idealistic. It is grounded in Christians' (2005) universal ethics based in the core principle that all life is sacred: "Human beings resonate cross-culturally through their moral imagination with one another. Our mutual humanness is actually an ethical commitment rooted in the moral domains all humans share" (p. 9). Christians writes:

> In the process of invigorating our moral imagination, the ethical media worldwide enable readers and viewers to resonate with other human beings who also struggle in their consciences with human values of a similar sort. Media professionals have enormous opportunities for putting universal protonorms to work—such as the sacredness of life—and enlarging our understanding of what it means to be human.
>
> (p. 12)

Christians' universal ethics is supported by a growing group of scientists, exemplified by Michael Gazzaniga (2005), who writes:

> I am convinced that we must commit ourselves to the view that a universal ethics is possible, and that we ought to seek to understand it and define it. It is a staggering idea, and one that on casual thought seems preposterous. Yet there is no way out. We now understand how tendentious our beliefs about the world and the nature of human experience truly are, and how dependent we have become on tales from the past. At some level we all know this. At the same time, our species wants to believe in something, some natural order, and it is the job of modern science to help figure out how that order should be characterized.
>
> (p. 178)

Notably, in his tour de force *Media Ethics and Global Justice in the Digital Age* (2019), Christians explicates a comprehensive theory based on three principles: truth, human dignity and nonviolence: "Thus, the ethics of global justice in ontological; it is a communication ethics of being that takes seriously a human-centered philosophy of technology" (p. 31). In a time often labelled the "post-truth era," could any theory be more salient? Truth, he writes, "needs to be located in human existence" (p. 183) and is "best understood" as the Greek concept of "*aletheia*: uncovering the authentic, disclosing the genuine underneath" (p. 159). By intuition and learned practice, the best photojournalists seek to show the world to itself through authentic, human-centered images with the goal of facilitating understanding and peaceful interaction.

I believe photojournalism—reporting through images—plays a crucial role, along with education, philosophy, art, and science, in helping humankind determine how best to live together in coming centuries. As the great photojournalist Gordon Parks once wrote, "My eyes only act as conduits for my heart" (inscription on photograph).

This chapter has explored photojournalism ethics by journeying through human visual history toward building a broader theory of visual ethics. I have sought to extend understanding of photojournalism beyond political or economic interpretations of media—big or small—toward core human behaviors of seeing, knowing, communicating, and living.

We need more research about these behaviors to ground our professional practices and consumption of photojournalism images. Psychologist Paul Slovic (2007), for example, has determined that viewers respond with more empathy to images of one suffering person than to images of many suffering people. This is in keeping with Christians' (2005) articulation of the need to resolve one/many issues by considering "the many as being reconstituted into the one" (p. 11). Journalism has a long tradition of "humanizing" stories by focusing on individuals. In photojournalism, the "Day in the Life Of" story comes to mind.

We also need more research about the current trend toward participatory visual journalism. As Maria Puente (2007) wrote for *USA Today*: "Oh, for the good old days when all we worried about was Big Brother government watching us. Too late: Now we have Little Brother to contend with, too—and he has a camera phone." Interestingly, the teaser for the article read, "Cell phone cameras continue to haunt both celebs and Ordinary Joes. Can morals keep pace with technology?" *USA Today* posed these "quick questions" to its online readers: "Will citizen outrage eventually quell the use of cell phone cameras in public?" Possible answers were: "Yes, boredom and social conventions will set in," or "No, this is only the tip of the iceberg." Clearly, the latter has proven to be true.

One relatively early example of smart-phone visual reporting is the allegedly unauthorized video of Saddam Hussein dangling from the executioner's rope. Many people decried the posting of the video on the Internet. But we can look at the issue as a photojournalist would: without the crude video, most of us would still have little recourse but to accept the official description of Hussein's execution as dignified and orderly. In other words, we might have believed the official lie. Regardless of whether we think it ethical to show the video to the public, we needed the visual evidence in order to know what happened. More recently, and horribly, people have been invited to witness suicides and massacres via streaming video.

The concerns of those who fear we can no longer use photography or video as evidence are valid. Ethicists and practitioners alike predicted the demise of visual truth when it became possible to digitally alter a photograph in seemingly imperceptible ways. Although we have been able to lie visually as long as we have been conscious, new technologies are taking us to levels of deception that threaten not only our perceptions of truth but also how we live. Digital forensics expert Hany Farid (2018) writes:

> While issues of digital authentication and verification have always been important, we have entered a new age in which the implications of digital fakery are impacting everything from our trust in news and democratic elections, to threatening the lives of our citizens.
>
> (p. 269)

Farid calls for "immediate and aggressive action" from the scientific community:

> The responsibility for reining in these abuses falls on us as a scientific community, funding agencies, the social media giants, and legislative bodies. The past few years have given us a glimpse into the consequences of what happens when these issues are left unchecked and so it is with some urgency that we as a community and society should be addressing these pressing problems.
>
> (p. 269)

Viewers of news images can develop their critical observation abilities to interpret what they see with increased clarity. They also might want to embrace serious photojournalism's creative vision, its selective construction of news stories, its carefully crafted construction of features. Visual journalists edit and compile their "findings" just as word journalists record,

select, and edit quotes, facts, and descriptions. Yet a core problem is that visual journalists—and viewers of visual news—continue to reject the constructionist nature of visual reporting for fear of delegitimizing its authority. When we stop to think about it, we so distrust the visual (yet we cannot help but trust our eyes) that we cannot fathom trusting anything other than what we think we see directly with our own eyes. Yet we face the paradox that 1) we know that our vision is subject to limits (to borrow from Schopenhauer), and 2) to be fully aware citizens of this diverse globe of ours, we need the eyes of others. Consider, for example, that no amount of carefully selected words can make visible the invisible in the manner evoked by pictures. Photojournalism confronts us with the ambiguities of seeing—indeed with the ambiguity of truth and the processes of knowing.

When we look—really look—into the image in Figure 9.2 of the Iraqi father mourning the deaths of his children, we are confronted by the self we see in the other, and we cringe at the pain we sense and at the need to acknowledge our own complicity in the father's suffering. In her provocative book *Vision's Invisibles* (2003), philosopher Véronique Fóti (2003) explores the complexities of seeing external forms versus knowing internal realities:

> There really is no antithesis between philosophy's fascination with dimensions of invisibility, on the one hand, and, on the other hand, a cherishing of visuality and sensuous presencing. Their traditional but artificial opposition only abets the impoverishment of sight. If both are to be optimally realized, their opposition needs to be crossed out to allow one to understand them more meaningfully and to bring them into an intimate reciprocity.
>
> (p. 8)

Fóti draws on Aristotle and Heidegger to reassert that perceiving is knowing: "envisagement is [author's italics] already understanding …" (p. 104). She cautions, however, that vision "is historically and culturally formed and also has its critical powers, which give it the possibility of education, refinement, and transformation" (p. 104). Fóti further invokes an active, "compassionate vision" that is "unconcerned with self." This compassionate vision is "indissociable from what in Buddhist thought is called 'all-accomplishing wisdom' (a wisdom fully realized only by enlightened awareness)" or, in Judeo-Christian thought, "a compassion so intolerant of the sight of suffering as to find the power even to restore a dead man to life" (p. 104).

We know, from our history on this planet, that humans need guidelines (and laws) for behavior. Humans make those guidelines, too—and they violate them. The answers to the ethical challenges brought to bear via technologies are found in the hearts and minds of human beings.

We have come a long way, as the saying goes, in understanding the complex natures of truth and reality. We may not have satisfactory definitions for either concept, but we can appreciate both their complexity and their centrality to living the ethics-grounded life. Given this desire to understand truth and reality, addressing ethical concerns about the role of photojournalism and its multiple technological forms in contemporary culture is easily mired in confusion about the origins and uses of images of photojournalism.

To get at the ethical core of photojournalism, I have focused on three themes: photojournalism as human behavior, photojournalism as technologically based practice, and photojournalism as ideology. Some would argue that one cannot simultaneously ground a theory of ethics in theories of self-construction and universal values. Christians (2019) explores this conundrum beautifully. My goal with this chapter was to demonstrate the value of both/and thinking in regard to self and other, the particular and the universal, and practices—such as photojournalism—that both articulate and evoke on their way to helping us determine reasonable truths for living.

REFERENCES

Abu-Rmileh, A. (2019). "The power of brain-computer interface: Use your brain to play your video game." *Towards Data Science*, February 9. Accessed on August, 19, 2019 from https://towardsdatascience.com/the-power-of-brain-computer-interface-use-your-brain-to-play-your-video-game-82206e12f9fe

Christians, C. G. (2005). "Ethical theory in communications research." *Journalism Studies*, 6(1), 3–14.

Christians, C. G. (2019). *Media Ethics and Global Justice in the Digital Age*. Cambridge: Cambridge University Press.

Cox, R. (2003). Presentation to J204 "Visual Communication for Mass Media." School of Journalism and Communication, Allen Hall, University of Oregon.

Curtin, W. (1986). Presentation to Texas Photographic Society. Austin, Texas.

Dahmen, N. S., Thier, K., and Walth, B. (2019). "Creating engagement with solutions visuals: Testing the effects of problem-oriented versus solution-oriented photojournalism." *Visual Communication*, March 21. Advance online publication retrieved from: 10.1177/1470357219838601.

Damasio, A. (1999). *The Feeling of What Happens*. New York: Harcourt Brace.

Farid, H. (2018). "Digital forensics in a post-truth age." *Commentary, Forensic Science International*, 289, June 6, 268–269. Available online: 10.1016/j.forsciint.2018.05.047.

Fóti, V. M. (2003). *Visions Invisibles: Philosophical Explorations*. Albany: State University of New York Press.

Foucault, M. (1977). *Discipline and Punish*. Trans. A. Sheridan. New York: Pantheon Books.

Foucault, M. (1988). *Technologies of the Self: A Seminar with Michel Foucault*. L. H. Martin, and H. Gutman (Eds.). Amherst: University of Massachusetts Press.

Frazier, C. (2006). *Thirteen Moons*. New York: Random House.

Gazzaniga, M. (2005). *The Ethical Brain*. New York: The Dana Foundation.

Gross, L., Katz, J. S., and Ruby, J. (Eds.). (1991). *Image Ethics: The Moral Rights of Subjects in Photographs, Film, and Television*. London: Oxford University Press.

Gross, L., Katz, J. S., and Ruby, J. (Eds.). (2003). *Image Ethics in the Digital Age*. Minneapolis: University of Minnesota Press.

Hall, E. T. (1959). *The Silent Language*. Garden City: Doubleday & Company, Inc.

Hall, S. (1973). "The Determination of News Photographs." In S. Cohen, and J. Young (Eds.), *The Manufacture of News: A Reader* (pp. 176–190). London: Constable.

Harper, D. (1979). "Life on the road." In J. Wagner (Ed.), *Images of Information: Still Photography in the Social Sciences* (pp. 25–42). Beverly Hills, CA: Sage.

Harper, D. (1981). *Good Company*. Chicago: University of Chicago Press.

Hartley, C. (1981). "The reactions of photojournalists and the public to hypothetical ethical dilemmas confronting press photographers." Unpublished master's thesis, Austin: University of Texas.

James, W. (1890/1962). *The Principles of Psychology*. New York: Smith.

Kobre, K. (2016). *Photojournalism: The Professionals' Approach*, 6th ed. New York: Routledge.

LeDoux, J. (1996). *The Emotional Brain*. New York: Simon & Schuster.

Lester, P. M. (Ed.). (1990). *NPPA Special Report: The Ethics of Photojournalism*. Durham, NC: National Press Photographers Association.

Lester, P. M. (1991). *Photojournalism: The Ethical Approach*. Mahwah, NJ: Erlbaum.

Lester, P. M. (1996). *Images that Injure: Pictorial Stereotypes in the Media*. Westport, CT: Praeger.

Lester, P. M. (2018). *Visual Ethics: A Guide for Photographers, Journalists, and Filmmakers*. New York: Routledge.

Marks, L. U. (1999). "How electrons remember." *Millennium Film Journal*, 34, Fall. Accessed May 7, 2007, from: http://mfj-online.org/journalPages/MFJ34/LMarks.html

McLuhan, M. (1964). *Understanding Media: The Extensions of Man*. New York: McGraw- Hill.

Meyer, P. (1995). *Truths & Fictions: A Journey from Documentary to Digital Photography*. New York: Aperture Foundation.

Meyer, P. (2002). "If you liked documentary work, you are going to love digital images." *ZoneZero*. Accessed February 11, 2007 from http://zonezero.com/default.html

Milgram, S. (1977a). "The image-freezing machine." *Psychology Today*, 10(50–54), 108.

Milgram, S. (1977b). *The Individual in a Social World: Essays and Experiments*. Reading, MA: Addison-Wesley.

Moss, M. L. (2001). "Anthropology 150—Glossary." Accessed February 11, 2007 from http://darkwing.uoregon.edu/~mmoss/GLOSSARY.HTM

National Press Photographers Association. (2007). "NPPA code of ethics." Accessed August 19, 2019 from https://nppa.org/nppa-code-ethics

Newton, J. H. (1984). *The Role of Photography in A Social Science Research Project in Northern Mexico: A Matter of Ethics*. Unpublished master's thesis, Austin: University of Texas.

Newton, J. H. (1991). *In Front of the Camera: Ethical Issues of Subject Response in Photography*. Unpublished doctoral dissertation, Austin: University of Texas.

Newton, J. H. (2001). *The Burden of Visual Truth: The Role of Photojournalism in Mediating Reality*. Mahwah, NJ: Erlbaum.

Newton, J. H. (2005a). "Visual ethics." In K. Smith, G. Barbatsis, S. Moriarty, and K. Kenney (Eds.), *Handbook of Visual Communication* (pp. 429–443). Mahwah, NJ: Erlbaum.

Newton, J. H. (2005b). "A visual method for visual research: Exploring ethical issues in pictures by applying a typology of visual behavior." In K. Smith, B. Barbatsis, S. Moriarty, and K. Kenney (Eds.), *Handbook of Visual Communication* (pp. 459–477). Mahwah, NJ: Erlbaum.

Newton, J. H. (2018). "On the necessity for Visualcy." *Explorations in Media Ecology*, 17(4), 485–490.

Newton, J. H. (in press, publication 2020). *Handbook of Visual Communication: Theory, Methods, and Media*, 2nd ed. S. Josephson, J. Kelly, and K. L. Smith (Eds.). New York: Taylor& Francis/Routledge.

Newton, J. H. (in press, publication 2020). "Visual Ethics: A Dynamic of Process and Meaning," in Handbook of Visual Communication: Theory, Methods, and Media, 2nd ed.

Nottingham, E. (1978). *From Both Sides of the Lens: Street Photojournalism and Personal Space*. Unpublished doctoral dissertation, Bloomington: Indiana University.

Ortega Y Gasset, J. (1941). *History as a System and Other Essays toward a Philosophy of History*. Trans. H. Wey. New York: W.W. Norton.

Parks, G. (date unknown). Inscription on photograph of Russell Lee by Alan Pogue.

Perlmutter, D. D. (1998). *Photojournalism and Foreign Policy: Icons of Outrage in International Crises*. Westport, CT: Praeger.

Puente, M. (2007). "Hello to less privacy." *USA Today*, February 28. Accessed on February 28, 2007 from http://usatoday.com/tech/news/2007-02-27-cameraphones-privacy_x.htm

Reaves, S. (1995a). "Magazines vs. newspapers: Editors have different ethical standards on the digital manipulation of photographs." *Visual Communication Quarterly*, 2(1) Winter, 4–7.

Reaves, S. (1995b). "The vulnerable image: Categories of photos as predictor of digital manipulation." *Journalism & Mass Communication Quarterly*, 72(3), 706–715.

Ross, S. D., and Lester, P. M. (2011). *Images that Injure: Pictorial Stereotypes in the Media*, 3rd ed. Westport, CT: Praeger.

Slovic, P. (2007). "If I look at the mass I will never act: Psychic numbing and genocide." Paper presented at the annual meeting of the AAAS, San Francisco, February 16.

Sontag, S. (1973). *On Photography*. New York: Dell.

Staton, D., and Newton, J. H. (2019). "Photojournalism." *Oxford Bibliographies in Communication*. www.oxfordbibliographies.co

Tagg, J. (1988). *The Burden of Representation: Essays on Photographies and Histories*. Basingstoke, UK: Macmillan Education.

Talbot, W. H. F. (1961). *The Pencil of Nature*. Facsimile (Ed.). New York: Da Capo Press. Original issued serially from 1844 to 1846.

Tuchman, G. (1978). *Making News: A Study in the Construction of Reality*. New York: The Free Press.

Wheeler, T.H. (2002). *Phototruth or Photofiction? Ethics and Media Imagery in the Digital Age*. Mahweh, N.J.: Lawrence Erlbaum Associates.

Williams, R., and Newton, J. H. (2007). *Visual Communication: Integrating Media, Art and Science*. Mahwah, NJ: Erlbaum.

Zelizer, B. (1998). *Remembering to Forget: Holocaust Memory through the Camera Eye*. Chicago: University of Chicago Press.

10

Diversity Requires Ethics Change

Ginny Whitehouse

More than two decades ago, Brislin and Williams wrote in the *Journal of Media Ethics* that the news industry should see diversity as part of its ethical canon. That same year, 69 percent of newspaper editors and broadcast news directors surveyed called diversity an ethical issue (Medsger, 1996, p. 7). Even though diversity has come to be viewed as a crucial part of accuracy and professionalism, actual diversity in appearance at least is more than uneven. Investigative Reporters & Editors Executive Director Doug Haddox noted that IRE/NICAR had only one staff trainer who was a person of color despite the organization's commitment to diversity (2018), but just months later NPR correspondent Cheryl W. Thompson was named the first African American to chair the IRE board of directors. As newsrooms struggle to define identity with reduced staffs and rising social media, ultimately media organizations will live by the reality "you are what you hire," as coined by the Nieman Foundation's Ann Marie Lipinski (Lipinski, 2016). News organizations must be diverse from top to bottom in order to fully engage media users, but two things must happen. First diversity needs to be fully embraced as an ethical issue, and second, culture must change. Having some non-White leaders heading organizations and companies is progress, but those individuals cannot "single-handedly disrupt underlying racist structures" (Alemán, 2014, p. 84).

If ethics broadly is concerned with how we live our lives and what we value (Jaksa and Pritchard, 1994, p. 3), then nothing could be more relevant to a discussion of ethics than the way people relate to, perceive, and share stories with those who are different from them. The impact of these stories stretches from shaping international relations to helping create empathy for a next door neighbor (Craig, 2006, p. 9). Alasdair MacIntyre believes that people come to know who they are through stories with interlocking narratives (1984, pp. 214–216). Each person's very identity is created through these stories. "The pervasiveness of news and 'mediated experience' as the source of stories thus makes journalists in a sense, co-authors of moral meaning in contemporary society" (Lambeth, 1992, p. 87). Diversity needs may be erroneously downplayed by arguments that accurate reporting eliminates bias; these arguments perpetuate assumptions of white normalcy because journalism practice itself can silence and exclude.

If one segment of society is ignored, vilified, or even inappropriately sanctified through mass media narratives, then under MacIntyrian logic, those marginalized and the community as a whole is harmed. That harm becomes even more obvious when political leaders spew racist

venom. President Trump, in a series of Twitter rants about ethnic minority members of Congress, viciously described U.S. Rep. Elijah Cummings's home district as a dangerous, rat-infested place where no would want to live. CNN Anchor Victor Blackwell, a Baltimore native, gave an impassioned response identifying the many times the president had used the word "infested" to refer to black and brown people (2019). Having an African American man already in the anchor desk ready to give such a reply is significant. Over the last two decades, broadcast news organizations particularly have moved toward a commentary approach to news allowing for more opinion, but other legacy and online media are taking this approach as well. *The Guardian* is having its commentators take centerstage online and in podcasts offering more personal perspectives. Aditya Chakrabortty didn't just explain why former British Prime Minister Tony Blair's thinktank report was problematic when calling for immigrants to assimilate; he described the racism he encountered when immigrating from India as a child (2019).

Advances in social media and these national/international news sites with a single point of view can also end up creating polarizing views of the world, with few seeking perspective outside their tribe (Kakutani, 2018). However, this partisan media polarization may be perceived as an American phenomenon. European research has not shown the same results, and little study has been conducted on this kind of single-source effects on polarization in other parts of the world (European Parliament, 2019). Regardless of whether single-viewpoint media or multi-view media are involved, tribalism certainly is a global concern.

Polarizing language itself and racist assumptions in global media remains a consistent challenge. After the September 11, 2001, attacks, London's Turkish-speaking immigrants developed what Aksoy (2006) calls a transnational identity to cope with the "us" versus "them" language used by both politicians and journalists. Dominant culture television stations vilified the Turkish- and Arab-language media. The immigrants consumed more English-language media than their white counterparts, in addition to Turkish-and Arab-language media, just trying to understand the complexities of the crisis. Aksoy found that they became more distrustful of all news media, including Turkish- and Arab-language media (2006, p. 927). The result was a media-created ethical dilemma for a vulnerable population struggling to create an identity outside popular narratives. The dominant culture media's tendency toward simplistic, over-generalized interpretations of Islam, the role of women, and jihad have created a "clash of civilizations" narrative and thus contributed to international public policy on war (Ahmad, 2006, p. 980). The opposing frames journalists tend to use in describing conflicts contribute significantly toward increased polarization, therefore reaffirming public perceptions of powerlessness (Jameson and Entman, 2004, p. 38). The "Operation Trojan Horse" false story in 2015 Birmingham, England, is not surprising but disturbing. A fake letter showed up at a Birmingham school purporting to be between Islam extremists planning bomb attacks called "Operation Trojan Horse." British tabloids broke the Trojan horse story at the same time as they did revelations that food chains used halal meat and British-born jihadists headed to fight in Syria. Portraits of extremism in some newspapers, including the *Daily Mail*, bolstered the Conservative government and justified promotion of "British values" in immigration policy (Poole, 2018). Even though the letter was quickly debunked, television crews camped outside schools and attempted to interview "anyone who looked Muslim" asking their opinions on extremism (Shackle, 2017). Pigeon-holing brown people is not an isolated incident. In the United States, immigration policy protestors are at times asked by broadcasters seeking "man on the street" perspectives from people of color, "Are you an American citizen?" (Alemán, 2010). These examples illustrate the ethical failures that come with polarizing images and the harms that result.

When considering ethics and diversity, there is a need to separate cultural relativism and cultural pluralism. Cultural relativism holds no universal or common norms and in essence

espouses: I am good if I do not tell you that you are bad. By its very nature, cultural relativism eliminates the need for ethical debate because it assumes that all judgments are equal (Shaw, 2003, p. 94). By contrast, cultural pluralism allows an array of moral options within parameters of mutuality, or acting with respect for the interdependency of all people (Christians et al., 1993, p. 57) and basic values are shared across societies (Bok, 2002, pp. 13–16). Those values are lived out in different ways in different cultures and subcultures, but identifying commonality provides a starting point for dialogue and connection. Calls for understanding and identifying universal norms should not lead to totalitarian results, but rather a support for cultural diversity (Christians, 2005, p. 6). The "live and let live" rhetoric common in cultural relativism becomes in reality "you go live over there" because it denies opportunity for interaction. Relativism simply is impractical because it fails to recognize that injustice or oppression exists, as well as making true relationships among people of differences impossible (Bok, 2002, p. 45). Interaction, relationship, and diverse connections can only occur and be effective within a culturally plural environment as opposed to a culturally relative environment.

DIVERSITY WITHIN NEWS ORGANIZATIONS

The meaning of diversity varies across nations, with some purporting to value diversity even while passively thwarting it and others fully dominated by a single ethnic or religious group. Regardless of local national structure, key strategies for successful diversity are consistent: analyse existing structures, set strategic goals, create infrastructure to enact those goals with a plan toward long-term success, then assess and hold management accountable (Best Diversity Practices, 2009). As the media landscape undertook seismic shifts over the past decade, professional media organizations who had earlier embraced the concept of diversity were left with the gloomy initial data and lofty pledges that they started with. Infrastructures were overhauled for survival, not inclusion, while management and staff were trimmed to the bone.

The American Society of Newspaper Editors reported people of color represented 22 percent of the newsroom workforce respondents, but could not generalize nationally, much less to other media types, because its survey only had a 17 percent response rate (ASNE, 2018). UNITY: Journalists of Color, Inc., had been formed in 1990 in the United States to bring together four major ethnicity defined organizations, the National Association of Black Journalists, the National Association of Hispanic Journalists, the Asian American Journalists Association, and the Native American Journalists Association. Together, these groups hoped to highlight inequities of popular news media and facilitate true diversity. But financial difficulties and personality clashes led to UNITY's eventual demise in 2018, at time when its presence was needed more than even earlier (Delaney, 2018).

The World Press Photo Association surveyed more than a thousand top photojournalists worldwide. Recognizing the limitations of any kind of survey requesting a common definition of racial categories, the study found half considered themselves White, a fifth described themselves as Asian, less than 5 percent as Latinx or Hispanic and a very small fraction as Arab or Black (Hadland and Barnett, 2018). To counter this, World Press Photo, based in Amsterdam, has hosted workshops worldwide and collaborated with Everyday Africa to develop the African Photojournalism Database, which highlights the images of talent that might be otherwise overlooked (Pixley, 2017).

Television journalism in the United States has fared far better than newspapers overall at increasing its ethnic minority presence. RTNDA recorded TV newsroom diversity in the United States was at an all-time high in 2019 with stations averaging a quarter of their staffs as persons

of color. The number of general managers and news directors is on the rise, which is an important step towards shaping policy. Reports noted, however, that the American population itself has 38 percent minority representation (Papper, 2019). While the narrowing of diversity gaps is encouraging, having some ethnic minorities in visible positions may create a false front, which becomes particularly problematic because it fuels dominant culture assumptions that racism is neither systemic nor pervasive, and may even relegate racism to past history (Heider, 2002, p. 20).

The blame for lack of parity has been spread throughout media institutions, to a variety of standard newsroom practices, and to education. Students must have internships in order to successfully enter the industry, but many internships are unpaid, thus creating a significant economic disadvantage for those already facing economic challenges. Lower starting salaries in broadcast journalism are an often-cited problem for ethnic minorities leaving university saddled with student loans (Iqbal, 2004, p. 10). Mercedes De Uriarte (2003) believes parity has not occurred primarily because numerical integration has been confused with substantive intellectual diversity. Newsroom demographics are not diverse because newsroom culture and news values have not been diversified effectively: "Newsrooms moved forward assuming that they could just find and add minorities without experiencing discomforting cultural change" (p. 36). Once persons of color arrive in management positions, many find that their opportunity to influence news policy is limited by prevailing conventions. Nearly 60 percent of news executives of color reported that they believe they must censor themselves when expressing opinions (Woods, 2002 p. 24). At the same time, ethnic minority journalists report that editors regularly reject their story ideas because they are perceived as biased. The principle of journalistic balance becomes defined as using traditionally accepted sources with predictable conclusions, and accuracy becomes defined as consistency (De Uriarte, 2003, pp. 72–76).

While the mainstream media struggle to recruit and retain people of color, ethnic media organizations, including Spanish-language media, are highly effective at reaching ethnic minorities. Research examining a cross-section of ethnic groups in the United States has shown:

> Forty-five percent of all African American, Hispanic, Asian American, Native American and Arab American adults prefer ethnic television, radio or newspapers to their mainstream counterparts. These "primary consumers" also indicated that they access ethnic media frequently. This means that a staggering 29 million adults (45 percent of the 64 million ethnic adults studied) or a full 13 percent of the entire adult population of the United States, prefer ethnic media to mainstream television, radio, or newspapers.
>
> (Bendixen and Associates, 2005, p. 8)

Yet when national mainstream professional organizations have held conferences and structured dialogs on diversity, the ethnic press is rarely invited to participate and then in very small numbers (De Uriarte, 2003, p. 5).

So, ethnic minority groups are finding creative ways to reach their local communities. ABTN (The Aboriginal People's Television Network), launched in 1999, is the first North American network created by and for indigenous communities and airs coast to coast in Canada. Just 56 percent of its programming is in English with 16 percent in French and the remaining 28 percent in Inuktitut and other indigenous languages. The company's research claims 72 percent of Canada's age-over-18 indigenous market tunes in regularly across different mediums (APTN, 2018). Meanwhile, Comcast's Telemundo is going head to head with Univision for the North American Latino market as it has successfully garnered the bilingual youth who navigate between cultures. Telemundo recognized its market wanted more action drama than telanova because the life experience between generations was different (Hagey, 2018). In Bolivia, La Pública built

both journalism and social activism networks, beginning with a simple blog then expanding to a news network with podcasts and even an interactive map to chart remote areas. Student journalists from communities without Internet connection are trained at Indigenous University and find innovative avenues to share their stories (La Pública, 2019).

Hyperlocal news without strict objectivity requirements is not a new phenomenon but it has come under the research category most recently with the label "participatory journalism." Information is shared based on first-hand experience with the author as witness to events and struggles. Cultural relevance becomes a news value greater than the traditional hard news emphasis on conflict, traditional power sources, and timeliness (Borger and van Hoof, 2016). However, critics of participatory journalism may dismiss it as a legitimate news form because its topics and sources are "soft" or less verifiable. In researching five Dutch hyperlocal news products, Borger and van Hoof found in their content analysis that these products themselves did not present diverse viewpoints, rather than views of a single perspective. As was similarly noted in RTNDA's 2019 study, Spanish-language newsrooms did not include diverse ethnic staff members. Notably though, these products have increased their market penetration because of the dearth of coverage beyond the dominant culture from larger media organizations.

Research in the area of newsroom diversity must consider more than just horserace figures on the losses and gains of journalists of color. Research must examine specific models of recruitment/retention success and clarify how newsroom culture itself must change in order to meet organizational goals. Research must illustrate how journalists of color throughout the management chain can be given appropriate voice to define news outside dominant culture frames. However, the actual success of diversity efforts will remain limited unless the culture of media organizations changes internally to reflect the diversity of communities covered.

HOW DIVERSITY IS PORTRAYED

Perhaps one of the best ways to redefine news culture is through research applying inter-cultural communication scholarship to the ways that the media – from the local weekly sports reporting to national advertising campaigns – gather and disseminate information across diverse groups. Improving professional practice will foster more ethical responses to cultural conflicts and provide the whole community with better understanding of all its parts.

A danger in reviewing the intercultural communication literature is in failing to understand how analysis and categories are made within this academic field. Accuracy is a vital ethical requirement in any research, from journalism to social science. To examine communication trends, intercultural scholars are careful to frame constructs about ethnic groups accurately in the context of tendencies and sociotypes. Sociotypes involve cultural predispositions towards certain activities and behaviors that generally are neutral and defined internally by an ethnic group or are backed by empirical data. For example, asserting that African Americans in the Northeastern United States tend to be Democrats would be an accurate sociotype supported by the research and voting trends (Triandis, 1994, p. 107). Stereotypes by contrast most frequently come from outside the culture, are framed in absolute terms without acknowledging individual difference, are often overly simplistic, and are most frequently negative. If the stereotype is framed as intending to be a positive statement, such as "all Asians are smart," the assertion frequently is dismissive of other attributes and makes unsubstantiated generalities (Ting-Toomey, 1999, p. 161). Stereotypes then are inaccurate and inappropriate generalizations; sociotypes gain validity because they are defined internally, recognize individual difference, and are supported by verifiable evidence.

The power stereotyping has should first be addressed in the form of privilege because understanding the power of privilege is fundamental to understanding the ethics of diversity. Peggy McIntosh identifies white privilege as an "invisible knapsack of unearned assets … of special provisions, maps, passports, codebooks, visas, clothes, tools, and blank checks." She argues those with privilege "are not taught to recognize their own privileges" and, if acknowledged, they "deny the resulting advantages" (McIntosh, 2000, pp. 115–116). Simply put, the world's media culture is led largely by those with privilege, who ultimately define the narratives of those without privilege. Stereotypes that emerge from those narratives, regardless of intent, perpetuate distrust, misperception, and oppression. A common dominant culture response to avoid stereotyping is to claim colorblindness: The observer asserts that he or she does not see color or ethnicity, only the individual person. However, the assertion is flawed because color and ethnicity are part of identity and denying that identity is a problematic part of white privilege. As Bhopal Kalwant explains (2018), neoliberal society created the myth of post-racism to debunk the very real need for addressing racial inequity.

Philomena Essed argues that white privilege leads those in the dominant culture to assume that nearly everyone makes decisions, including ethical decisions, in the same way, and given the same set of circumstances would come to the same conclusions (1991, p. 189). By extension, that means many dominant culture news managers may assume that all people would select the same news stories. Heider, who studied local television news, determined that news directors tended to believe they were adequately covering their communities, including ethnic minorities, if they had high ratings. "Even if trying to appeal to a large audience has a pluralistic sound to it, it still comes down to a news philosophy that is based on the principle where the majority rules" (2002, p. 29). The result then is coverage of minorities based on what the dominant culture may find interesting, such as festivals and holidays. This practice helps create the illusion that non-European groups are primitive and their cultures belong to the realm of past history.

If particular cultural groups are portrayed only in limited settings, then their entire existence in popular thought becomes limited to those narrow portrayals. Heider calls this incognizant racism: Systematic exclusion and stereotypical inclusion may not be deliberate but nonetheless results in racist news coverage and false narratives (Heider, 2002, p. 51). In football game coverage, overt racial slurs would not get past Federal Communication Commission legal restrictions, much less any ethical consideration. Nonetheless, sports media research has consistently shown that stereotypes of African Americans are persistent. Billings (2004) examined 162 hours of college and professional football coverage with over 3,800 characterizations of White and Black quarterbacks. While stereotypes connecting race and intelligence appear to be abating, African Americans still are most frequently described as successful because of athletic prowess and White players as failing because of their "lack of innate ability" (pp. 207–208). Incognizant racism occurs subtly but still perpetuates false narratives.

Coverage of Manchester City player Raheem Sterling further illustrates this point. The Jamaican born footballer received racist taunts during a match in Chelsea outside London, verbiage that led to the expulsion of some fans from future events. Sterling shrugged off those taunts as "expected" considering the way British media portray white and black athletes (Johnson, 2018). The *Daily Mail* praised his teammate Phil Foden, who is White, for buying a two-million-pound home for his mother then slammed Tosin Adarabioyo, who was born in London to parents who hail from Nigeria, for spending two million pounds on a house for his family. The tabloid stated the 20-year-old defender "splashed out" money for a mansion despite not having at that time started in a London Premier match (Joseph, 2018). The implication clearly being that the Black athlete simply didn't deserve nice things.

Simultaneously, crime coverage disproportionately identifies black perpetrators more often than white criminals, resulting in a "blind spot" in the public consciousness. The fact that mass shooters and serial killers are most often white is a story significantly under-discussed world-wide (Itay, 2018). Perpetuating the media myth of the "armed and dangerous" black man has led to de-legitimizing the lives of African Americans and justified brutal police assaults that go unpunished (Chaney and Robertson, 2015). The distinctions between "terrorist" and "domestic terrorist" labels are used loosely to distinguish in coded terms a perpetrator who is not white, and thus an implication that one is more threatening than the other.

News coverage itself is not a neutral mirror when it comes to how immigration "crises" are portrayed. Sociologist Brigit Anderson (2017) argues that this is because migrants themselves are not the primary media consumers, and therefore the business model of news is designed to appeal to the dominant culture. In a world with limited resources, migrants are seen as the "wrong kind of people," thus a threat that can be pushed outside the social contract (p. 22). Research by the European Ethical Journalism Network found that media coverage of immigration to be divisive, sensational, and anxiety-fuelling (White, 2018). When an Afghan 15-year-old migrant murdered his girlfriend, a 15-year-old German girl, the German national media was in a quandary to determine whether to identify the victim or the perpetrator, actions rarely taken in the nation's crime news stories. Germany, like the Netherlands and Sweden, take a reform approach to crime, therefore journalists tend to see identification a privacy violation that hurts the opportunity for a criminal to re-enter society. The German Press Code states to avoid mentioning ethnicity unless it is essential in a crime story. But public anti-immigrant sentiment was running high and news organizations were accused of hiding an "ethnic problem" in the town Kandel by not stating names and immigration status. The German tabloid *Bild* identified the perpetrator by name and picture, without parts of his face digitized as was common. Other media identified him as Afghan and within days far-right, nationalist marches were held. Notably, when a German man had murdered his wife and two children in Kandel two weeks earlier, the story never made it outside the local news outlets (Patterson and Smith-Fullerton, 2019). These immigrant stories perpetuate a narrative that Germany, which has one of the lowest crime rates in the world, is somehow becoming less safe (Bennhold, 2018).

These coded types of racism create complex narratives that are more subtle than covert, but equally harmful. One of the most glaring concerns is the way black and brown faces tend to be significantly overrepresented in news images showing the "face of poverty." Gilens' research found that only 27 percent of the poor in the United States were African American at that time, but African Americans made up 63 percent of the news images of poor people (pp. 516–517). When the images involved working-age younger people, more than half were African American. When the images involved the elderly, only one in five was African American. That meant that the unsympathetic poor – those who might be perceived as able to work – received a considerably disproportionate share of the images. He argues that these images link "being poor", and "being Black" together tightly in Western psyche, creating an inaccurate public perception of what it means to be either Black or impoverished (1999, p. 68). This conclusion was further validated in a 2002 study comparing television viewing with attitudes on race and poverty. The more news that research subjects chose to view on American television, the more likely they were to attribute poverty amongst African Americans to lack of motivation instead of lack of economic opportunity (Busselle and Crandall, 2002, p. 269). When Newt Gingrich challenged then U.S. President Barak Obama as he sought a second term, Gingrich called him the "food stamp president" drawing on the racist and false perception that blacks disproportionately outnumber whites in receiving federal assistance. Gingrich's assertion was dismissed as factually inaccurate by news organizations, but only a handful called it out as racist (Elliott, 2012).

These news portrayals create an echo chamber even within popular television programming. Isabel Molina-Guzmán argues that while Latinx images have become more common on shows such as *The Office* and *Modern Family*, these depictions still rely on stereotypes that amount to "hipster racism" which is filled with jokes that make white audiences comfortable (Molina-Guzmán, 2018).

Stereotypical portrayals become all the more demeaning when other positive media representation is absent and the ethnic minority experience becomes even more invisible. Journalist Darla Wiese, an Okanagan tribal member, remembers as a child seeking out every popular image of Native Americans she could find, even ones belittling her heritage: "Though no one in my family watched sports, I sought and learned the 'Tomahawk Chop' all for mainstream cultural validation" (2006). Wiese said incognizant racism through the absence of valid Native images may not be deliberate, but nonetheless those negative images fill voids when no alternatives are available. Oklahoma student Sara Mae Martin, who is Choctaw and Lakota, says her high school mascot makes her feel "like my race is being used as a prop" (Beck, 2005).

The NCAA created new rules that prohibit schools with "hostile or abusive" Indian mascots from hosting its championships and bowls, just as schools in states that fly Confederate flags are prohibited. If schools determined to have offensive Native mascots participate in playoffs, they are barred from displaying Indian nicknames or logos (Wieberg, 2006, p. C3). This may relieve some burden on media organizations who must decide whether using official team names in sports coverage is an overt act of racism. Native American groups estimate that more than 2,000 sports teams across the United States have eliminated Indian mascots since 1970; however, approximately 1,000 teams choose to continue the practice (National Congress of American Indians, 2013) meaning virtually all U.S. mainstream news organizations are still left with the choice of how to cover these sports teams. Since 1994, the Native American Journalists Association has formally called for all news organizations to stop publishing or broadcasting all Indian mascot names and images. Public polls on mascot names have been widely disputed because of faulty self-reporting and lack of clarity about who can accurately self-identify as a Native (Florio, 2016). Two of the most offensive mascots remain in place: Cleveland Indians' Chief Wahoo and the Washington Redskins. NAJA argues news organizations do not increase accuracy by identifying teams by Indian mascot; the school or city name achieves the same purpose:

> Our complaint about mascots is that they are racial slurs and stereotypes that are comparable in meaning to the 'n-word' and which should be offensive to all thinking people. We count team names such as Indians to be stereotypes and team names such as redskins, squaws, and red men to be slurs. However, to say one is more acceptable than the other is simply to bargain with racism.
> (NAJA, 2003, p. 6)

Notably, the Ontario Human Rights Commission (2018) and the state of Maine (Williams, 2019) both responded to psychological research on the use of mascots and its impact on First Nations youth. Maine banned indigenous-themed sports teams and mascots outright and the Ontario tribunal has actively urged communities to make changes following a settlement in the city of Mississauga. How indigenous people are caricatured remains a concern in sports coverage.

BLACK/WHITE BINARY

The mascot struggle reflects the experiences that many cultural groups have in the United States, particularly with a dominant culture tendency to frame all ethnic minority experiences by comparing it within a Black-and-White frame. A body of literature, particularly within legal and

historical research, has developed surrounding Critical Race Theory and the Black/White Binary (Alemán, 2014; Hutchinson, 2004; Karst, 2003; Perea, 1997).

> Like other paradigms, the Black-White one allows people to simplify and make sense of a complex reality…. The risk is that non-black minority groups, not fitting into the dominant society's idea of race in America, become marginalized, invisible, foreign, un-American.
>
> (Delgado and Stefancic, 2001, p. 70)

This binary means, for example, that at the turn of the last century, Chinese immigrants wanting a voice in state courts and Native Americans attempting to gain rights within and outside reservations had to place their experiences and desires for justice within a frame comparing them to the struggles of African slaves seeking U.S. citizenship and voting rights (Davis, 1997, pp. 234–235). Creating a binary frame impacts relations amongst all ethnic minority groups, while at the same time placing White dominant culture as the primary cultural frame contrasted against all others on a pigment continuum. Research is needed to explore the binary systematically, but media critics have long recognized the trend.

The Black/White binary frame creates three significant communication concerns for the mass media: (1) ignoring or downplaying sections of the American demographic, those whose ancestry originates outside Europe and Africa; (2) emphasizing a continuum with Whites at one end and everyone else at another, thus encouraging an us/them perspective with the "us" being the dominant culture; and finally (3) ignoring relationships among various ethnic groups.

The result is news coverage of the changing American demographic portraying Latinos as "The New Cool Kids," with news articles educating the dominant culture about Ricky Martin and Jennifer Lopez (Del Rio, 2005, p. 2, pp. 12–13). The Latinidad identity nonetheless draws from three continents, and involves a myriad of economic profiles, and internal distinctions. The Cuban exile, the Spanish immigrant, and Salvadorian economic refugee are all lumped into a single category along with Asians Americans and other Native Americans. Each ethnic group's experience and marginalization must be considered distinctively. Just as African Americans are not likely to be asked to produce a green card or have strangers accuse them of destroying the nation's automobile industry, few Asian Americans are likely to be berated by strangers for having too many children or being on welfare (Delgado and Stefancic, 2001, pp. 69–70).

As stated earlier, in order for news coverage to change, the culture of news itself needs to change. Mexican American cultural critic Sonya Alemán (2010) explains that journalism education itself is steeped in whiteness. Diversity is most often an add-on to a curriculum that needs a paradigm shift. In her structured observations of reporting classes, she found story ideas favoured the experience of dominant culture students and the very definitions of what makes news is one cast by a traditional powerful white male perspective. Issues not perceived as impacting "the larger community" tend to be ignored. This method of story identification taught in j-schools and common in newsrooms privileges existing contacts and relationships. These methods deny power differentials among groups and ignore systemic problems.

IMPROVEMENT POSSIBLE BUT AT A COST

The primary reason why U.S. news coverage of the nation's ethnic minorities has not improved is simple: to make substantive changes costs money and time, and in the news business, time is money. Ethnic minority coverage is better, considering both the perception within minority

communities and the facts judged by content analysis, in places where resources are devoted to those communities. Providing resources means at least in part sending journalists to spend time within ethnic cultural groups: That means time to build relationships with sources while not working a particular story. Reporter Lourdes Leslie Medrano spent a month in the Minneapolis-St. Paul area just listening to people as she prepared a series on the "Faces of Islam" before and after the September 11, 2001, attacks. She went to mosques and sat with women as they prayed. She visited Muslim schools and eventually developed relationships with the family of two of the students (Whitehouse, 2002, p. 17). The time spent both to build relationships and then develop the story allowed Medrano Leslie to create images that both validated the Muslim community and explained its richness to those outside it. She wrote:

> Aminah, it's time to pray," Adam called out to her the other day as he and his mother, Fatma Ahmed, knelt on prayer rugs.... "It's like eating," he said. "If I don't eat, I'm hungry. If I don't pray, I feel empty." As an observant Muslim, Adam said he was saddened by the Sept. 11 hijacking attacks and is angry at those who carried it out, supposedly in the name of Islam. "Islam does not stand for this kind of atrocities," he said. "This is a religion about making peace; our greeting is 'Peace be upon you, As-Salaam aleikum.'"
>
> (2001, p. 1A)

The story showed a family's daily life in a way accessible to many cultural groups, but developing the relationships to get to the story meant that Leslie Medrano was not producing high volumes of copy while working on this one.

Recognizing that not all people within any group perceive time in the same way, Western culture, and by extension Western media culture, tends to emphasize a product-oriented, time-driven approach to doing business and gathering information. On the other hand, many ethnic minorities come from what has come to be called collectivist societies. Within these societies, resources including information may be shared with those within a group or where a relationship already exists, but not with strangers (Triandis, 1994, p. 166). That means for an individualistic Western journalist, relationships become a by-product of good reporting because the relationship develops as information is shared. By contrast, ethnic minority sources may be quite reticent to share in-group knowledge with a stranger whose motives are unknown, particularly when past experiences have been negative. Requests for information also involve white privilege. White journalists, like most White Americans, tend to presume that "every interaction is a blank slate," said Intercultural Communication Scholar Judith Martin (quoted in Whitehouse, 2002, p. 21).

Those from marginalized groups may approach such encounters quite differently – with all the cultural memory of previous oppression.

Focusing on meeting deadlines and quick story turnaround tells those in ethnic minority communities that their experiences are unimportant. One reason ethnic minority journalists may continue to leave the field is because they are forced to capitalize on relationships like commodities, and to do so at a rapid speed. The very nature of accepted news practice may run up against cultural ethical norms.

Research is needed to both quantify and qualify the impact Western-style deadline emphasis has on how collectivist ethnic minority communities are covered. The ethics of source exploitation needs careful exploration, particularly within the context of individualist and collectivist societies' interpretation of relationship, as well as study of how these factors impact minority journalist retention.

RESEARCH NEEDS

Triandis argues that anyone seeking information across cultures cannot escape bias, including ethnocentric tendencies toward using our own culture as the standard of comparison. Simply saying "I will strive to be unbiased" is not enough. Triandis' ethical recommendations for cross-cultural researchers' techniques to avoid bias (1994, p. 85) can be adapted to the practice journalism:

- Explanation of the differences among cultures should be embedded within the descriptions of similarities. Cultural differences can and should be considered, but recognizing that ethnic groups are part of the larger community. A predominantly African-American church is still a church, like others in most communities. Its religious practices do not need to be portrayed as foreign or quaintly odd.
- Multiple methods of gathering information are used. That means listening to multiple voices within a community over time and recognizing diverse leadership within diverse communities. No one person can speak for all people of color, or for an individual ethnic group within a community.
- Qualitative information through interviews is used to clarify and explain quantitative reports. De Uriarte offered an example of this in her description of African-American men in prisons.
- Conclusions reached about a culture are sociotypes consistent with how those within that group would define themselves, and stereotypes are removed.
- The information is gathered in an ethical way, meaning that the sources are treated as people with value rather than merely a means to getting a story.

Unfortunately developing these techniques, just as developing complex stories, takes time and is therefore expensive to facilitate and apply in practice.

The very language used to describe experience becomes even more problematic. Post-modern cultural critic Jean-François Lyotard (1988) suggested that marginalized peoples face *differend*, where key terms have different meanings from one group to another. The concept of Auschwitz means one thing for a Jewish Holocaust survivor and another for a Holocaust denier (p. 9). If the survivor chooses to respond with strong empirical proof, the human angst gets lost in the data. If the survivor offers a hard-told drama of experience, then the universal evidence is called into question. Similarly, Native Americans struggle to explain the *differend* over mascots, tomahawks, and eagle feathers, and Hawaiians struggle with the *differend* of island sovereignty (Heider, 2002, p. 50). Delgado and Stefancic emphasize that European Americans balk at the suggestion that the descendants of slaves might seek financial reparation, when no slave or slave-holder is living and the practice was made illegal well over a century ago. The result then is that the very concept of justice is *differend* (2001, p. 44). Yet the nature of privilege denies that *differend* even exists. A white television news director told de Uriarte in her research for ASNE: "A story is story. I would hope diversity issues would not come into play" (p. 89). The result of *differend* is that journalists and their ethnic minority sources may use different words, languages, or codes, and that difference results in misconceptions and even the negation of the minority experience. If a primary function of media is to give voice to the voiceless, then journalistic models should be created to give voice with a new language offsetting *differend* and offer evidence through research of the models' effectiveness.

Polarization in language becomes an increasing concern when groups with different viewpoints must rely on news media to get information on each other. When that happens, the news coverage itself can escalate conflict.

Therefore, despite the journalistic conventions of objectivity and removal of bias, the media presence contributes to conflict. Similar accusations come in nearly every racial conflict. Additional research is needed to document how basic journalistic forms, such as quote or sound byte selection, contribute to conflict because the very foundational practices of journalism are created and defined by privilege. Journalism academics have long maintained that media conventions do not change because they are comfortable for those who control them (Gans, 1980; Schudson, 1978). Schudson explained in 1995: "Standard practices are not, of course, neutral inventions. They have biases of their own" (p. 83). Those standard practices, the biases that formed them and the biases that they produce, need careful examination to offer additional evidence of impact and opportunity for revision.

Notably, this chapter has focused on ethnic diversity with limited reference to class, gender, and religious diversity, and no reference to a host of other factors, including sexuality, disability, or geography. Each of these and other diversity concerns requires intense and careful consideration. Just as the experience of one ethnic group cannot be equated to the experience of another, the issues facing ethnic diversity cannot to be superimposed upon all marginalized peoples. Therefore additional research needs to identify and explore carefully each group's concerns beyond that which has been outlined in this chapter.

Finally, research is needed to explain the financial prospects of doing better diversity coverage. News organizations frequently cite better coverage of ethnic minorities as part of its ethic and stated commitment to covering all of the community served. However, real change may not occur until there is extensive and widely publicized evidence that such coverage is profitable, so profitable that the effort needed to create culture change is worthwhile. Otherwise, the news about ethnic minorities in the United States will continue to look as it has looked: with festivals and crises, with stereotypes and marginalization, with statistics without context, and most damningly, with diverse people required to frame their experiences in a way that makes sense to the dominant culture, or to face no coverage at all.

REFERENCES

Ahmad, F. (2006). "British Muslim Perceptions on News Coverage of September 11." *Journal of Ethnic and Migration Studies*, 32, 961–982.

Aksoy, A. (2006). "Transnational Virtues and Cool Loyalties: Responses of Turkish-Speaking Migrants in London to September 11." *Journal of Ethnic and Migration Studies*, 32, 928–946.

Alemán, S. (2010). "Americans in Brown Bodies: An Analysis of Journalistic Performances of Whiteness." *Southwestern Mass Communication Journal*, 1–18.

Alemán, S. (2014). "Locating Whiteness in Journalism Pedagogy." *Critical Studies in Media Communication*, 72–88.

Anderson, B. (2017). "The Politics of Pests: Immigration and the Invasive Other." *Social Research*, 7–28.

APTN. (2018). *APTN Annual Communique*. Winnipeg, Manitoba.

ASNE. (2018, November 15). *ASNE's 2018 Diversity Survey Results Reflect Low Participation but Encouraging Shifts*. Retrieved from American Society of Newspaper Editors. www.asne.org/diversity-survey-2018

Beck, H. (2005). "Take Me Out of the Ball Game." *Wiretap Magazine*, January 31. Retrieved October 20, 2006 from www.wiretapmag.org/stories/21115/

Bendixen and Associates. (2005). "The Ethnic Media in America: The Giant Hidden in Plain Sight." Research conducted for New California Media, in partnership with the Center for American Progress and the Leadership Conference on Civil Rights Education Fund.

Bennhold, K. (2018, January 17.). *A Girl's Killing Puts Germany's Migration Policy on Trial*. Retrieved from *New York Times*. www.nytimes.com/2018/01/17/world/europe/germany-teen-murder-migrant.html?action=click&module=RelatedCoverage&pgtype=Article&region=Footer

Best Diversity Practices. (2009). *Global Diversity and Inclusion*. Retrieved from *Diversity Primer*, September, 29). www.diversitybestpractices.com/sites/diversitybestpractices.com/files/import/embedded/anchors/files/diversity_primer_chapter_14.pdf

Billings, A. (2004). "Depicting the Quarterback in Black and White: A Content Analysis of College and Professional Football Broadcast Commentary." *Howard Journal of Communications*, 15, 201–210.

Blackwell, V. (2019, July 27). *Blackwell Tears Up Defending Hometown Over Trump Attacks*. Retrieved from CNN. www.cnn.com/videos/politics/2019/07/27/trump-attacks-minority-leaders-victor-blackwell-ndwknd-sot-vpx.cnn

Bok, S. (2002). *Common Values*. Columbia: University of Missouri Press.

Borger, M., and van Hoof, A. S. (2016). "Exploring Participatory Journalistic Content: Objectivity and Diversity in Five Examples of Participatory Journalism." *Journalism*, 444–466.

Busselle, R., and Crandall, H. (2002). "Television Viewing and Perceptions about Race Differences in Socioeconomic Success." *Journal of Broadcasting and Electronic Media*, 46, 265–283.

Chakrabortt, A. (2019). *Mum and Me: A Story of Immigration and Integration*. Retrieved from *The Guardian*, May 16. www.theguardian.com/news/audio/2019/may/17/mum-and-me-a-story-of-immigration-and-integration

Chaney, C., and Robertson, R. V. (2015). "Armed and Dangerous? an Examination of Fatal Shootings of Unarmed Black People by Police." *Journal of Pan-African Studies*, 45–78.

Christians, C. (2005). "Ethical Theory in Communication Research." *Journalism Studies*, 6, 3–14.

Christians, C., Ferré, J., and Fackler, M. (1993). *Good News: Social Ethics and the Press*. New York: Oxford University Press.

Craig, D. (2006). *The Ethics of the Story*. Lanham, MD: Rowman & Littlefield.

Davis, A. D. (1997). "Identity notes, Part One: Playing in the Light." In R. Delgado, & J. Stefancic (Eds.), *Critical White Studies: Looking behind the Mirror* (231–238). Philadelphia: Temple University Press.

De Uriarte, M. L. (2003). *Diversity Disconnects: From Class Room to News Room. Report to the American Society of Newspaper Editors. Funded by the Ford Foundation*.

Del Rio, E. (2005). "latinos, U.S. News magazines, and Multiculturalism as a Form of Professional Bias." Presented at the annual meetings of the International Communication Association, New York.

Delaney, P. (2018, March 29). *The Demise of Unity: Why a Collaboration between Journalists of Color Collapsed*. Retrieved from Columbia Journalism Review. www.cjr.org/first_person/unity-organization-journalists-color-diversity.php

Delgado, R., and Stefancic, S. (2001). *Critical Race Theory*. New York: New York University Press.

Elliott, D. (2012, January 17). *'Food Stamp President': Race Code, Or Just Politics?* Retrieved from National Public Radio. www.npr.org/2012/01/17/145312069/newts-food-stamp-president-racial-or-just-politics

Essed, P. (1991). *Understanding Everyday Racism: An InterdisciplinaryTtheory*. Newbury Park, CA: Sage.

European Parliament. (2019, July 3). *Polarisation and the News Media in Europe*. Retrieved from European Parliament Think Tank. www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS_STU(2019)634413

Florio, M. (2016, May 21). *Native American Journalists Association Criticizes Washington Post Poll*. Retrieved from NBC Sports. https://profootballtalk.nbcsports.com/2016/05/21/native-american-journalists-association-criticizes-washington-post-poll/

Gans, H. (1980). *Deciding What's News*. New York: Vintage Books.

Gilens, M. (1999). *Why Americans Hate Welfare*. Chicago: University of Chicago Press.

Haddix, D. (2018). "Diveristy Strengthens Journalism – And IRE." *IRE Journal*, April 1, p. 2.

Hadland, A., and Barnett, C. (2018). *The State of News Photography 2018*. Retrieved from World Press Photography Association. www.worldpressphoto.org/getmedia/4f811d9d-ebc7-4b0b-a417-f119f6c49a15/the_state_of_news_photography_2018.pdf

Hagey, K. (2018, March 16). *Inside Telemundo's Battle with Univision for American Hispanics*. Retrieved from *Wall Street Journal*. www.wsj.com/articles/inside-telemundos-battle-with-univision-for-american-hispanics-1521198000

Heider, D. (2002). *White News: Why Local News Programs Don't Cover People of Color*. Mahwah, NJ: Erlbaum.

Hutchinson, D. L. (2004). "Critical Race Theory: History, Evolution and New Frontiers." *American University Law Review*, 53, 1187–1215.

Indian Country Today. (2001, August 7). "American Indian Opinion Leaders: American Indian Mascots." Retrieved October 20, 2006, from www.indiancountry.com/content.cfm?id=43

Indian Country Today. (2005, August 11). "Abusive Mascots Still a Serious Issue." Retrieved October 20, 2006 from www.indiancountry.com/content.cfm?id=1096411388.

Iqbal, A. (2004). "Dearth of Men of Color in TV Reporting Persists." *The Unity News*, August 4, p. 10.

Itay, D. (2018). "True Colors: Crime, Race, Colorblindedness Revisited." *Cornell Law Review*, 244–287.

Jaksa, J., and Pritchard, M. (1994). *Communication Ethics: Methods of Analysis*. Belmont, CA: Wadsworth.

Jameson, J. K., and Entman, R. M. (2004). "The Role of Journalism in Democratic Conflict Management." *Harvard International Journal of Press & Politics*, 9, 38–59.

Johnson, M. (2018, December 17). "Raheem sterling, Chelsea and the Racist Media Coverage of Black Athletes." Retrieved from *The Undefeated*. https://theundefeated.com/features/raheem-sterling-manchester-city-chelsea-and-the-racist-media-coverage-of-black-athletes/

Joseph, A. (2018, January 10). "Young Manchester City footballer, 20, on £25,000 a Week Splashes Out on Mansion on Market for £2.25 Million despite Having Never Started a Premier League Match." Retrieved from *Daily Mail*. www.dailymail.co.uk/news/article-5253633/Man-City-footballer-20-25k-week-buys-market-2-25m-home.html

Kakutani, M. (2018). *The Death of Truth: Notes on Falsehood in the Age of Trump*. New York: Tim Duggan Books.

Kalwant, B. (2018). *White Privilege: The Myth of a Post-Racial Society*. Bristol, Great Britain: Pristol Policy Press.

Karst, K. L. (2003). "Law, Cultural conflict, and the Socialization of Children." *California Law Review*, 93, 967–1028.

La Pública. (2019). "Quienes-somos." Retrieved from https://lapublica.org.bo/quienes-somos

Lambeth, E. B. (1992). *Committed Journalism: An Ethic for the Profession*. Bloomington: Indiana University Press.

Lipinski, A. M. (2016). "You Are Who You Hire." *Nieman Reports*, January 1, p. 3.

Lyotard, J. F. (1988). *The Differend: Phrases in Dispute*. Trans. G. Van Den Abbeele. Minneapolis: University of Minnesota Press.

MacIntyre, A. (1984). *After Virtue*. Notre Dame, IN: Notre Dame Press.

McIntosh, P. (2000). "White Privilege: Unpacking the Invisible Knapsack." In J. Noel (Ed.), *Notable Selections in Multicultural Education* (115–120). Guilford, CT: Dushkin/McGraw-Hill.

Medrano, L. L. (2001). "Faces of Islam: A Family Centered on Faith." *The Minneapolis Star Tribune*, November 23, p. 1A.

Medsger, B. (1996). *Winds of Change: Challenges Confronting Journalism Education*. Arlington, VA: Freedom Forum.

Molina-Guzmán, I. (2018). *Latinas and Latinos on TV: Colorblind Comedy in the Post Racial Network Era*. Tuscon: University of Arizona Press.

National Congress of American Indians. (2013). *Ending the Legacy of Racism in Sports & the Era of Harmful "Indiam" Sports Mascots*. Retrieved from National Congress of American Indians. www.ncai.org/attachments/PolicyPaper_mijApMoUWDbjqFtjAYzQWlqLdrwZvsYfakBwTHpMATcOroYolpN_NCAI_Harmful_Mascots_Report_Ending_the_Legacy_of_Racism_10_2013.pdf

Native American Journalists Association. (2003). *Reading Red Report*. Retrieved October 20, 2006 from www.naja.com/resources/publications/2003_reading-red.pdf

Navarro, M. (2008). July 13 "bricks, Mortar and Coalition Building." *New York Times*, p. A1.

Ontario Human Rights Commission. (2018, December 13). *OHRC Settlement Addresses Harmful Impact of Stereotypes on Indigenous Youth Page Controls*. Retrieved from Ontario Human Rights Commission. www.ohrc.on.ca/en/news_centre/ohrc-settlement-addresses-harmful-impact-stereotypes-indigenous-youth

Papper, B. (2019). *2019 Research: Local News Diversity*. Retrieved from RTNDA. www.rtdna.org/article/2019_research_local_newsroom_diversity

Patterson, M., and Smith-Fullerton, R. (2019). "Naming Names and ethnicity, or No?" Presented at the annual meeting of the Association for Education in Journalism and Mass Communication, Toronto.

Perea, J. E. (1997). "The Black/White Binary Paradigm of Race: The 'normal Science' of American Racial Thought." *California Law Review*, 85, 1213–1258.

Pixley, T. (2017). "A Different Lens: Why We Need More Visual Journalists and Editors of Color." *Nieman Reports*, 22–29.

Poole, E. (2018). "Constructing 'british Values' within a Radicalisation Narrative." *Journalism Studies*, 376–391.

Schudson, M. (1978). *Discovering the News: A Social History of American Newspapers*. New York: Basic Books.

Shackle, S. (2017). *Trojan Horse: The Real Story behind the Fake 'islam Plot' to Take over Birmingham Schools*. Retrieved from *The Guardian*. www.theguardian.com/world/2017/sep/01/trojan-horse-the-real-story-behind-the-fake-islamic-plot-to-take-over-schools

Shaw, W. (2003). "Relativism in Ethics." In J. Boss (Ed.), *Perspectives on Ethics* (90–95). New York: McGraw-Hill.

Ting-Toomey, S. (1999). *Communicating Across Cultures*. New York: Guilford.

Triandis, H. C. (1994). *Culture and Social Behavior*. New York: McGraw-Hill.

White, A. (2018). *Moving Stories: International Review of How Media Cover Migration*. London: Ethical Journalism Network.

Whitehouse, V. (2002). "Taking Time." *The Quill*, December, pp. 16–22.

Wieberg, S. (2006). "Bolder NCAA Faces Up To New Challenges." *USA Today*, February 26, p. C3.

Wiese, D. (2006). "Chief Is Reflection of American Indian Education." *The Dispatch (Moline, IL. Quad-Cities Online Edition)*. Retrieved September 16, 2006 from http://qconline.com/qcnews/archives/qco/sections.cgi?prcss=display&id=306221&query=&print=1

Williams, D. (2019, May 17). *Maine to Become First State to Ban Native American Mascots in Public Schools*. Retrieved from CNN. www.cnn.com/2019/05/17/us/maine-bans-native-american-mascots/index.html

Woods, K. (2002). *McCormick Fellowship Initiative Report to the Industry: Do We Check It at the Door?* Chicago: McCormick Tribune Foundation.

11

The Ethics of Advocacy

Moral Reasoning in the Practice of Public Relations

Sherry Pack Baker

… efforts at persuasion (advocacy) can serve "individuals, groups, and society. It can serve badly or well."

<div align="right">(Martinson, 1996, p. 44, citing Andersen, 1978, p. 41)</div>

We live in an age of advocacy; an age characterized by an omnipresent, persistent, pervasive environment of persuasion, partisanship, sponsorship, and endorsement in broadcast, print, internet, [and] social media. It has become increasingly and glaringly apparent that advocacy has very real large-scale and global consequences, as well as significant impacts on individuals. Given this environment, an open, broad-based societal discussion about the ethics of advocacy is needed.

<div align="right">(Baker, 2018, pp. 312–313)</div>

INTRODUCTION: FOCUS OF THE CHAPTER

This chapter on "The Ethics of Advocacy: Moral Reasoning in the Practice of Public Relations" begins with the assumption that "advocacy and persuasion in general are noble enterprises" (Baker, 2018, p. 312).

Societies and individuals rely on ethical advocacy for many functions, including: democratic discourse and self-governance; the circulation of ideas informing individual and collective decision-making; the advancement of truth, knowledge, and innovation; the facilitation of commerce, and the promotion and provision of goods and services. The caveat, however, is that these positive benefits and outcomes are fragile, and that harm and negative consequences can result if those engaged in the practices of advocacy are unprincipled.

<div align="right">(Baker, 2018, p. 312)</div>

This chapter's discussion of public relations and advocacy ethics, and the decision-making models presented, are intended to encourage practitioners to use their talents and their power as communicators for worthy purposes, with moral means, while also achieving effective and noble professional objectives and behaving professionally as persons of integrity.

Advocacy ethics as an area of inquiry arises from a concern about practices of persuasion that operate only on the basis of what is *effective* in the quest to achieve advocacy objectives, without sufficient regard for the basic moral principles that might be violated, or the people and interests that might be harmed in the process. In broad terms, the field of advocacy ethics pushes back against the (Adam) Smithian notion that "out of self-interest…harmonious societies grow" (Kagan, 1998, p. 189). It challenges from a variety of perspectives the assumption that *caveat emptor* (let the buyer beware), and related attitudes, is a legitimate moral position for advocates to embrace (Patterson and Wilkins, 2005, p. 61; Baker, 1999a).

Nothing in this chapter is meant to imply that advocates and public relations practitioners should not be competitive, or that they should have no interest in achieving their worthy professional objectives. The injunction against raw self-interest (unfettered egoism) that is achieved with disregard for the interests of others is not an injunction against legitimate self-interest (see Foot, 2001, p. 17). The theories, principles and models suggested in this paper do, however, suggest means by which practitioners can achieve and act upon the moral perspective in which personal interests and those of others can be properly balanced.

The chapter begins by exploring the theoretical ground for advocacy ethics, or the social and societal sources from which arise the moral requirement for professional advocates to behave ethically. Then, moving more closely to moral behavior and decision-making, it examines moral temptations, ethical dilemma paradigms, and ethical issues faced by practitioners in public relations practice. Three models for moral reasoning are reviewed – each taking a different approach to ethical decision-making in the practices of advocacy. The question of the relationship between moral reasoning (knowing the right thing to do) and moral behavior (actually doing the right thing) is then explored, as is the relationship between ethical behavior in the workplace, and the practitioner's sense of personal well-being. The chapter concludes with a discussion, from several points of view, about moral perspective-taking as it relates to moral reasoning.

The ultimate objectives of the chapter are to increase understanding of the basic ethical issues in advocacy, to provide various tools by which practitioners might think through ethical issues relating to the practices of advocacy, and to emphasize the ways in which ethical behavior in professional practice leads one not only to do good, but to experience personal growth, fulfillment, and a sense of living a life that is worthwhile.

THE THEORETICAL GROUND FOR ADVOCACY ETHICS

A Covenantal Model

> Ground: "a source of standards or norms which are binding on a certain class or group of agents."
> (Koehn, 1994, p. 8)

This section explores the theoretical ground or source from which arises the moral requirement for professional advocates to behave ethically, and suggests that this ground is best conceptualized within a covenantal model of advocacy.

Daryl Koehn (1994) has written that a profession "is a set of norm-governed practices grounded in a relationship of trust between professionals and clients…and potential clients" (Koehn, 1994, p. 8). The centrality of the relationship between the professional advocate and the client, however, does not assume that the advocate is a service provider whose only responsibility

is to service client desires (Baker, 2002, p. 194). Professional advocates have additional moral duties to self and others connected to the functions they perform. "The professional must have a highly internalized sense of responsibility; must be bound to monitor his/her own behavior" (Baker, 2002, p. 196, citing Koehn, 1994, pp. 55–56, 65).

While the professional's key responsibility is to the client, the professional/client relationship exists within the larger context of professional responsibility to society. "Professionals, then, are not exclusively client-oriented; they are not unconditional loyal servants of the individual client at hand. … Rather, the client is an individual member of a community before whom the professional has made a 'profession'" (Baker, 2002, p. 198, citing Koehn, 1994, pp. 173–174). The covenantal model is based in professionals' and clients' responsibilities to each other and to the public good. The following list summarizes key points in the covenantal model as the theoretical ground of advocacy ethics, as discussed by Koehn (1994).

- The ground of advocacy ethics consists in a covenantal relationship of trust between advocate and client, and between advocate and society.
- The loyalty of the advocate to the client does not sanction promoting the client's interest to the direct sacrifice of the well-being of other members of the public.
- The professional encourages ethical behavior on the part of the client.
- The professional serves the client's good, but the client also is obligated to act in ways that engender that good.
- The professional advocate does not serve client whim, but client good, and is not obligated further if the client does not behave in ways that foster that good. (For example, clients are responsible to conduct their affairs reputably rather than expecting the advocate to spin away disreputable behaviors.)
- The professional refuses to engage personally in unethical practices even if, or merely because, the client requests or demands it.
- The professional refuses to promote evil or to represent clients and causes that directly result in harm to others (see Baker, 2002, pp. 200–201).

MORAL TEMPTATION AND ETHICAL DILEMMAS IN PUBLIC RELATIONS PRACTICE

When faced with a situation that has ethical implications, is one actually dealing with a genuine ethical dilemma, or is one simply tempted to do something that clearly is wrong? The distinction drawn by Kidder (1995) is that ethical dilemmas are right-versus-right situations and moral temptations are right-versus-wrong situations.

> Ethical dilemmas have good and right arguments to commend them on all sides of the situation. They require careful moral reasoning to arrive at the most appropriate action. Right-versus-wrong issues, on the other hand, are *moral temptations*. They do not require deep philosophical/ethical analysis because they are simply wrong from the outset.
> (Baker, 1997, p. 200, italics added; citing Kidder, 1995, p. 184)

This distinction allows practitioners and decision-makers to clarify the nature of the decision they are dealing with. If the ethical course of action is not clear, they are grappling with a true ethical dilemma, and must engage in moral reasoning to arrive at a morally justifiable course

of action. If, on the other hand, they can acknowledge that they know what their moral responsibilities are in the situation, but are inclined to do otherwise – they can recognize that they are being enticed by a moral temptation. In this case, their only choice is whether or not to do the right thing.

Assuming that a genuine ethical dilemma (not a moral temptation) has presented itself, Kidder writes that there are four value sets that are so fundamental to the right-versus-right choices all of us face that they can be called *dilemma paradigms*. These four paradigms are (1) truth versus loyalty; (2) individual versus community; (3) short-term versus long-term; and (4) justice versus mercy. Kidder says these are the classic tensions in most ethical dilemmas (Baker, 1997, p. 200, citing Kidder, 1995, p. 18).

The paradigm of truth versus loyalty sets honesty in opposition with allegiance, fidelity, and promise-keeping. Individual versus community pits self or us against them or others. Short-term is concerned with immediate needs and desires (the now) as opposed to long-term which is concerned with future goals or prospects (the then). Finally, justice is concerned with fairness and equity which sometimes comes into opposition with compassion and empathy (Baker, 1997, p. 201).

Kidder acknowledges that neither side of the dilemma paradigms invariably is right. Nevertheless, he argues that all things being equal (when both sides of the argument have equal weight or good arguments to support them), he would choose truth over loyalty, community over individual, long-term over short-term, and mercy over justice (Baker, 1997, pp. 201–202; Kidder, 1995, pp. 219–221). It is up to the individual or corporation to decide which ethical value should take precedence in any given situation, and to be able to justify their decision.

These conflicting value paradigms (especially the first three) are useful for broadly conceptualizing the moral dilemmas inherent in the practice of public relations. Truthfulness versus loyalty, for example, is a core ethical dilemma in advocacy. What are the limits of loyalty to corporation or client as balanced against the moral requirements of truthfulness in communications? Individual versus community (us versus them) also is a central ethical dilemma in advocacy. Should people behave solely in a self-interested (us) manner, or should their concerns also be with receivers of their persuasive messages (them)? Short-term versus long-term considerations are critical, and are related to each of the other paradigms. Should practitioners make their decisions in a particular circumstance based upon the best short-term consequences – or should they act with a primary consideration for long-term interests?

As these questions make evident, the dilemma paradigms overlap and interrelate. In the practice of public relations, for example, the truth versus loyalty dilemma spills over into the us versus them dilemma. Should practitioners and decision-makers engage in partial truths in their own self-interest (an emphasis on "us"), or should their concerns be with receivers of their persuasive messages (an emphasis on "them") in providing others with the truthful information they need to make rational decisions about an issue? Similarly with regard to short-term versus long-term considerations, is long term interest served best by truth or by loyalty; by an emphasis on us or on them?

Table 11.1 lists some examples of ethical issues that arise in the practice of public relations. It includes several categories of public relations activities (such as advocacy through front groups, and communicating across cultures) that raise particular ethical challenges. The items and activities listed are diverse, and they illustrate that while in some circumstances and contexts, a practitioner clearly might be dealing with a moral temptation, it is more likely that the complexity of the issues and activities involved present difficult and challenging ethical dilemmas.

TABLE 11.1
Ethical Issues and Ethically Challenging Activities in the Practice of Public Relations

• Deception, partial truth, misrepresentation	• Advocacy for activist groups
• Spinning news events	• Communicating across cultures
• Objectivity versus advocacy in news releases	• Poor taste
• Partial (vs. full) disclosure	• Invasions of privacy
• Plagiarism	• Pandering to the lower instincts
• Bartering for favorable coverage	• Inappropriate resource allocation
• Kickbacks	• Stereotyping; typecasting
• Keeping confidences	• Lack of concern for social responsibility and the common good
• Lying for a good cause	
• Initiating disclosure vs. responding to demands for information	• Lack of respect for persons in providing information to inform their decision-making
• Lack of transparency	• Plagiarism
• Being transparent against client wishes	• Copyright infringement
• Collecting and interpreting research data	• Crisis management
• Taking credit for another's work	• Corporate philanthropy
• Disagreements with management	• Whistle blowing
• Concealing illegal acts	• Virtual organizations
• Legal/ethical confusion	• Front groups waging "grassroots" campaigns
• Recalls	• Gifts and Junkets
• Conflicts of interest	• Marketing practices
• Unfairness	• Marketing to children
• Greed and self-interest	• Word-of-mouth marketing
• Careerism (at the expense of others)	• Questionable product lines
• Sensationalism	• Employee safety
• Exaggerated threats of harm	• Employee diversity
• Creating unnecessary fear	• Environment-related activities
• Lobbying and political advocacy	• Multinational corporate issues: status of women and children, hiring practices, treatment of animals, & working with governments with different values, etc.
• Failure to be responsible and accountable for one's actions	
• Strategic risk communication	
• Public diplomacy	

*Partial list of ethical issues as identified in Baker (1997); in six public relations textbooks: Bagin and Fulginiti (2005); Guth and Marsh (2006); Lattimore et al. (2004); Newsom et al. (2007); Seitel (2004); Treadwell and Treadwell (2004); and in Bivins (2006); Palenchar and Heath (2006); Seib (2006); Hon (2006); Wright (2006).

TOOLS FOR MORAL REASONING IN ADVOCACY

In their Foreword to a seminal special double issue on ethics and professional persuasion in the *Journal of Mass Media Ethics*, editors Ralph Barney and Jay Black wrote that "a major frustration of professionals in media fields is the academics who don't provide definitive answers to the important questions" (Barney and Black, 2001, p. 73).

> When a professional queries an expert, and expects a "this is what to do" answer, she or he often finds the response lays out a myriad of alternatives, perhaps without even a hierarchy. If, for the

> professional, closure and solution are discussion goals, scholars exalt discussion with closure low in priority. And so it is, perhaps in spades, with media ethics, particularly on a topic as prickly as professional persuasion.
>
> (Barney and Black, 2001, p. 73)

Applied ethicists often are hesitant to make definitive statements as to what general behaviors and practices are ethical or unethical. This is because nuances in facts, circumstances, potential outcomes, and the actors involved (including their motivations) often can be determinative of an appropriate course of action. Applied ethicists do, however, strive to provide ways by which practitioners can think about and clarify moral issues and thus find for themselves, through their own reasoning processes, ethically justifiable, if not definitive, answers to important questions.

Professional codes of ethics are examples of tools designed for moral reasoning in the practice of public relations. These include codes of ethics for the Public Relations Society of America (PRSA), the International Association of Business Communicators (IABC), the Global Alliance for Public Relations and Communication Management (all available online), and the codes of ethics of individual corporations and workplaces.

Additional aids in systematic moral reasoning are classical ethical theories that help focus one's attention on various aspects of a moral dilemma. The utilitarian perspective, for example, draws attention to finding in any situation the action that will result in the greatest good for the greatest number, and Kant's categorical imperative requires that as a matter of moral duty one must identify and act upon correct principles – those maxims that one would want everyone to honor in similar situations.

The three models reviewed below take classical ethical theory into account in developing rubrics for systematic moral reflection in the applied area of advocacy and public relations practices. Taken together, they constitute a set of tools by which to facilitate clear thinking and moral reasoning about various aspects of advocacy. They are designed to make the ethics of advocacy "accessible, teachable, applicable, behavior-influencing and empowering for practitioners, students, and instructors" of professional persuasive communications (Baker, 2008, p. 249).

FIVE BASELINES MODEL FOR ASSESSING MOTIVATIONS AND JUSTIFICATIONS IN ADVOCACY

The motivations that drive one's actions are an important issue in ethics, as is the moral requirement that one should be able to explain or justify one's actions. The "Five Baselines" framework below (adapted from Baker, 1999b) "allows conceptual clarity both about differing motivations that underlie action in professional persuasive communication and differing grounds or baselines from which action is justified" (Baker, 1999b, p. 79). The five baselines (to be explained below) are: Raw Self-Interest; Entitlement; Enlightened Self-Interest; Social Responsibility; and Kingdom of Ends. As the structure of the framework implies (beginning with Raw Self-interest and ending with the Kingdom of Ends), each successive baseline represents higher moral ground than the one before it (Baker, 1999b, p. 69).

1. The *Raw Self-Interest* baseline assumes legitimacy in pure self-interested egoism or looking out for oneself, even to the detriment of others. It assumes that advocates may use society or other humans for their own benefit, "even if it is damaging to the social order" (Baker, 1999b, pp. 70–71). While many may act according to this standard, it clearly is not a morally justifiable position.

2. *The Entitlement Model* represents the position that all clients, legal products, and causes are entitled to professional assistance and representation (despite their moral indefensibility); that professional persuaders have a right to advocate for legal products and causes, even if they are harmful; that *caveat emptor* (let the buyer beware) is a morally acceptable position; that clients and advocates have no responsibility for the negative effects on others that result from their legal persuasive communications; that professional communicators have a responsibility to serve their clients well despite potential harm to society or personal moral aversion; and that if a product or cause is legal, its promotion is ethically justifiable (Baker, 1999a, p. 1).

   The Entitlement baseline asserts communicator rights and entitlements "without the balancing acceptance of ethical responsibility for one's behavior and for the welfare of others. Essentially, the model fails the basic ethical requirement that people take responsibility for the effects of their actions on others" (Baker, 1999a, p. 20.)

3. The *Enlightened Self-Interest* baseline assumes that "businesses do well (financially) by doing good (ethically), and it is, therefore, in their bottom-line interest to engage in good deeds and ethical behavior" (Baker, 1999b, p. 73). This baseline has much to recommend it, in that it encourages ethical behavior (albeit by providing economic incentives). However, this approach assumes that all actions should result eventually in a reward to self or corporation (Baker, 1999b, p. 75). By this rationale, if an action or policy did not result in bettering a bottom-line interest, it would not be justified, even if it were the morally correct thing to do.

   Martinson (1994) has cautioned that enlightened self-interest "ignores the social dimension of ethics, the concern for the common good. It fails as an ethical baseline because ethics 'is about doing what is right where others, both individually and collectively, are concerned'" (Baker, 1999b, p. 75, quoting Martinson, 1994, p. 106).

4. The *Social Responsibility* baseline takes Martinson's concerns into account. This baseline assumes that persons in society are interdependent, and that "the focus of one's actions and moral reasoning should be on *responsibilities* to others and to community" (Baker, 1996b, p. 76).

5. The name of the *Kingdom of Ends* baseline derives from Kant's well-known categorical imperative. The defining characteristic of the Kingdom of Ends as a guiding model for behavior in advocacy is that …

> People should always act by those maxims (laws of conduct) to which they would want everyone to adhere if we all lived in an ideal community, a community in which everyone always is moral, one in which all people were treated as ends in themselves rather than as means to someone else's ends.
>
> (Baker, 1999b, p. 78)

The Kingdom of Ends baseline assumes that professional communicators can contribute to creating the kind of world in which they would wish to live, and in which the rights, needs, and interests of others are respected.

THE TARES TEST: FIVE PRINCIPLES FOR ETHICAL PERSUASION

The TARES Test (Baker and Martinson, 2001) is comprised of five principles that articulate the basic moral duties of advocates: Truthfulness (of the message); Authenticity (of the persuader); Respect (for the persuadee); Equity (of the appeal); and Social Responsibility (for the common

good). All ethical persuasive practices, according to this model, will take place within the boundaries of these five prima facie duties or principles of action.

The TARES Test is designed to be comprehensive, in that it addresses ethical principles relating to all elements of an advocacy message or campaign – the message, the advocate, the receiver(s) of the message, the conduct and elements of the advocacy campaign, and society as a whole. The test asserts an ethical requirement that the *message* must be *true*; the *advocate* must be an *authentic* representative of the cause or message; *receivers* of the advocacy message must be *shown respect* by empowering them to make good decisions and voluntary choices for themselves; the persuasive *campaign* must be *fair* in every respect; and the *product or service* advocated, as well as the *campaign* itself, must be *socially responsible* for the common good of society.

The following are questions that practitioners might ask themselves from the perspective of the TARES Test (see Baker and Martinson, 2001).

Truthfulness (of the Message): Is the message factually accurate and also truthful? Does it deceive overtly or covertly? Does it lead people to believe what I myself do not believe? (Bok, 1999, p. 13) Does it satisfy the listener's information requirements?

Authenticity (of the Advocate): Am I acting with integrity? Do I endorse this message? Would I take personal responsibility for it? Would I persuade those I care about to do this? Do I believe that people will benefit from this?

Respect for the Persuadee (or receiver of the message): Have I respected the interests of others? Have I given them substantially complete information so they can make good decisions? Have I made them aware of the source of this message?

Equity of the Appeal (or the Advocacy or PR campaign): Is this campaign fair? Does it take unfair advantage of receivers of the message? Is it fair to targeted or vulnerable audiences? Have I made the communication understandable to those to whom it is directed? Have I fairly communicated the benefits, risks, costs, and harms?

Social Responsibility (for the Common Good): Will the cause I am promoting result in benefits or harm to individuals or to society? Is this cause responsible to the best interests of the public?

A sincere and well-intentioned consideration of all elements and principles of the TARES Test should lead practitioners of advocacy and persuasion to morally justifiable decisions.

THE MODEL OF THE PRINCIPLED ADVOCATE AND THE PATHOLOGICAL PARTISAN: A VIRTUE ETHICS CONSTRUCT OF OPPOSING ARCHETYPES OF ADVOCATES AND ADVOCACY

Usually, discussions of applied ethics center on what one should *do* – what actions one should take. Virtue (or character) ethics takes a different perspective. The central question is not "What should I *do*?" but rather "What sort of person should I *become*?" (Pojman, 2006, p. 156, italics added; see also Baker, 2008, p. 237). Character or virtue ethics is "the arena of the virtues and the vices" (MacIntyre, 1984, p. 168). A moral virtue is a "disposition to follow the moral rules" (Gert, 1998, p. 284), while a moral vice is a disposition to violate a moral rule when there is a conflict between the rule and one's own interests or inclinations (Gert, 1998, p. 283).

Moral virtues have corresponding moral vices … just as moral vices have corresponding moral virtues. (For example, the virtue of truthfulness has a corresponding vice of deceitfulness.) Virtue and vice are developed by and exhibited in habitual actions and consistency of behavior.

MacIntyre writes that *practices* provide "the arena in which the virtues are exhibited" (MacIntyre, 1984, p. 187; see also Baker, 2008, p. 241). Public relations and advocacy are examples of such practices. "A good human being is one who benefits her or himself and others … both qua human being and also characteristically qua the exemplary discharge of particular roles or functions *within the context of particular* kinds of practice" (MacIntyre, 2002, p. 65, italics added). Persons who represent the embodiment of the virtues are ideal persons (or ideal types), moral exemplars, or moral heroes. "These are role models, who teach us all what it is to be moral by example, not by precept. Their lives inspire us to live better lives, to be better people" (Pojman, 2005, p. 166). This moral exemplar aspect of the virtue perspective can facilitate decision-making, and can be action guiding, in that one might either look to the example of *particular* role models (whom one knows or knows about) to influence behavior, or one might ask oneself more theoretically what a virtuous person would do in similar circumstances (Hursthouse, 2001, p. 36; Baker, 2008, p. 246). The virtue perspective also is action guiding in that each virtue generates a prescription (such as "do what is honest") and each vice generates a prohibition (such as "do not do what is dishonest"). Hursthouse calls these rules of virtue ethics "v-rules." V-rules are virtue-based prescriptions, or vice-based prohibitions (Hursthouse, 2001, pp. 36–37; Baker, 2008, p. 240).

As mentioned above, virtue ethics also is related to the issue of "becoming." According to MacIntyre, we are the authors of the narratives of our own lives, and the virtues (or vices) are "components of the narrative unity of life" (MacIntyre, 1984, pp. 215, 222–223; see also Baker, 2008, p. 240). Lebacqz proposes that this notion of the coherence of one's life story is one tool by which virtue ethics provides guidance for action. One would ask oneself if a particular contemplated action fits his or her life story – if it lends integrity to him or her, or rather if it threatens his or her integrity. One might ask, "Which act has the most integrity in terms of the kind of person I want to *become*?" (Lebacqz, 1985, pp. 85–86, italics added; see also Baker, 2008, p. 240).

The model (Table 11.2) of The Model of The Principled Advocate and The Pathological Partisan: A Virtue Ethics Construct of Opposing Archetypes of Advocates and Advocacy (Baker, 2008, 2009, 2018) is based in the virtue ethics perspective. As discussed above, virtue ethics focuses on the actors (or advocates) themselves, rather than on the acts they perform. It asserts that good people (people who possess the virtues) will do the right thing; and that people who do the right thing will *become* virtuous. One *becomes* a virtuous or Principled Advocate by habitually engaging in ethical practices of advocacy. Conversely, one becomes a Pathological Partisan by habitually engaging in unethical practices of advocacy. (For more about this model and for a broader discussion about virtue ethics as applied to advocacy, see Baker, 2018.)

The term "Pathological Partisan" has been adopted from the philosopher Sissela Bok. According to Bok, the virtue of loyalty, taken to an extreme, can become the vice of pathological partisanship. A Pathological Partisan "uses loyalty as a justification to condone abuses in the name of a cause …. [Pathological Partisans] blind themselves to the kind of harm they are doing to those on the outside" of their cause (Bok, 1988; see also Baker, 2008, p. 241, 2009, p. 124, 2018, p. 323).

The Principled Advocate advocates for noble (or morally justifiable) causes with moral virtue, and with principled motives and means. He or she embodies and enacts the virtues of humility, truth, transparency, respect and concern for others, authenticity, equity, and social responsibility.

The Pathological Partisan, by contrast, abandons moral virtues, principles, and values in support of a cause. He or she embodies and enacts the vices of arrogance, deceit, secrecy, manipulation, disregard for others, artifice, injustice, and raw self-interest.

The virtues of truthfulness, authenticity, respect, equity, and social responsibility are familiar from the TARES Test. Their corresponding vices (deceit, artifice, manipulation of others

TABLE 11.2
The Model of The Principled Advocate and The Pathological Partisan* A Virtue Ethics
Construct of Opposing Archetypes of Advocates and Advocacy

PRINCIPLED ADVOCATE	*PATHOLOGICAL PARTISAN*
Advocates for noble (morally justifiable) causes with moral vision and virtue, principled motives and means. As one habitually enacts the virtues in practice, one *becomes* a Principled Advocate.	Abandons moral vision, virtues, principles, and values in support of a cause. As one habitually enacts the vices in practice, one *becomes* a Pathological Partisan.
VIRTUE	*VICES*
• Humility (acknowledges one's moral responsibility) • Truthfulness • Transparency (openness) • Respect (for others' right to self-determination) • Care and concern (for fellow humans) • Authenticity • Equity (messages or means of delivery in advocacy are fair) • Social Responsibility (for the common good)	• Arrogance (exempts oneself from moral responsibility) • Deceitfulness • Secrecy (opacity) • Manipulation (of others for one's own ends) • Disregard (for others and for harm to others) • Artifice • Injustice (messages or means of delivery in advocacy are unfair) • Raw Self-Interest (to the detriment of others)

*The model is a continuum. "The virtues and the vices are such that as a person moves away from one end of the scale, she necessarily moves toward the other" (Gert, 1998, p. 284). The virtues and vices generate "v-rules." Each virtue generates a prescription ("be truthful"); each vice generates a prohibition ("do not deceive") (Hursthouse, 2001, p. 36.) One should ask oneself: "What kind of person will I become if I do this?" or "how will this action affect and reflect my character?"

for one's own ends, injustice, and raw self-interest) appear in The Principled Advocate vs. The Pathological Partisan model. The additional virtues of humility, concern for others, and transparency (together with their corresponding vices of arrogance, disregard for others, and secrecy/opacity) have been added as a contribution from the virtue ethics perspective. Humility involves, in part, the recognition that one is fallible and vulnerable (MacIntyre, 2002), and that morality applies to oneself as it does to everyone else (Gert, 1998, p. 306; Baker, 2008, p. 244). Humility's opposing vice is arrogance, which includes "the view that one is exempt from some or all of the moral requirements to which all other moral agents are subject" (Gert, 1998, p. 306; see also Baker, 2008, p. 238).

The virtue of concern (humane concern or concern for the common good) relates to the notion of mutual dependence (MacIntyre, 2002). Concern for others goes beyond the more rational notion of respecting the rights of others. Concern includes treating people with respect, but is motivated by care for them and their welfare as fellow vulnerable human beings (see related discussions in Slote, 2000, pp. 331–345; Arjoon, 2000, p. 166). Disregard for others is the corresponding vice.

Finally, the virtue of transparency is a key element in the profile of the Principled Advocate. Plaisance (2007) has stated that transparency "is an essential element of credibility" (p. 193). "The virtues of transparency and openness result in practice in substantial completeness in meeting others' reasonable requirements for information" (Baker, 2008, p. 243). The vice corresponding to transparency is secrecy (or opacity) which would involve, in part, failing to be forthcoming, and hiding or obscuring information that others have a legitimate need to know.

The critical and significant essence of this model is the graphic opposition of the antithetical virtues and vices. However, it should be noted that the model also is constructed such that the Principled Advocate and the Pathological Partisan are conceptual constructs at opposite ends of a *scale*. In practice, the virtues and vices in the model should be viewed as if on a continuum. "As

a person moves away from one end of the scale, she necessarily moves toward the other" (Gert, 1998, p. 284; see also Baker, 2008, p. 237).

The virtue ethics perspective can be applied in moral reasoning by seeking advice from or following the example of a role model, a moral exemplar, or an admired colleague; by contemplating if a particular course of action would enact particular virtues or vices identified in the model, and if a particular decision would lead one to become more like a Principled Advocate or a Pathological Partisan; or by asking oneself if a particular action would augment or diminish one's integrity and good reputation.

Gardner et al. (2001) invoke virtue ethics themes in their book *Good Work: When Excellence and Ethics Meet*. Among the concerns that sparked their interest in studying good work was "*the loss of powerful 'heroic' role models* that inspire the younger members of a profession …" (p. xi, italics added). They define good work as "work of expert quality that benefits the broader society" or is "socially responsible" (Gardner et al., 2001, p. xi). They write that a central element of identity is moral, and that people must determine for themselves "what lines they will not cross and why they will not cross them" (Gardner et al., 2001, p. 11). They propose that we experience work as "good" when it is "something that allows the full expression of *what is best in us …*" (p. 5, italics added). Doing good work "*feels* good" for those individuals who are "wholly engaged in activities that exhibit the highest sense of responsibility" (Gardner et al., 2001, p. 5). Doing good work creates "*a holistic sense of identity*: a person's deeply felt convictions about who she is, and what matters most to her existence as a worker, a citizen, and a human being" (Gardner et al., p. 11) (see also Plaisance, 2014, about moral exemplars or heroic role models in public relations).

THE MORAL PERSPECTIVE

The models presented above are designed to assist practitioners of advocacy to arrive at decisions about morally appropriate and justifiable courses of action. Sometimes, however, knowing what one *should* do does not always determine what one actually *does*.

James Rest (1994) has proposed a theory of the determinants of moral behavior. He writes that there are four psychological components that must be in place for people to behave ethically:

> (1) Moral Sensitivity (awareness of possible lines of action, and of how our actions might affect other people); (2) Moral Judgment (the ability to use moral reasoning to determine what behaviors are morally justifiable); (3) Moral Motivation (the desire to prioritize moral values over competing values); and (4) Moral Character (having the courage and ego strength to do the right thing, despite the costs and difficulties in doing so).
>
> (Baker, 2007, p. 221, citing Rest, 1994, pp. 22–25)

All four psychological components are necessary for moral behavior to occur, and "moral failure can occur because of deficiency in any [one] component" (Rest, 1994, p. 24). One must have enough moral sensitivity to recognize an ethical issue when it presents itself (such as a situation or communication that could cause harm to others). One must have also the moral judgment or moral reasoning skills to be able decide the right thing to do. Further, one must have the motivation to prioritize and act on moral values, even when those values come into conflict with other cherished values and priorities (such as economic gain or career success). Even when moral sensitivity, moral judgment and the desire to prioritize moral values are in place, one must also have enough "ego strength, perseverance, backbone, toughness, strength of conviction, and courage" under pressure to do the right thing (Rest, 1994, p. 24).

Kidder (1995) has written that "*standing up for values* is the defining feature of moral courage" (p. 3, italics added). It is moral courage that "lifts values from the theoretical to the practical and carries us beyond ethical reasoning into principled action" (p. 3).

The models for systematic moral reasoning discussed in this chapter relate primarily to Rest's Moral Judgment element (no. 2) in that they provide tools by which to determine what behaviors are morally justifiable in the practices of public relations. Nevertheless, a deep understanding of the underlying philosophical assumptions of the models also should contribute to the other three elements by augmenting sensitivity to moral issues in advocacy, increasing the desire to prioritize moral values over other conflicting values, and strengthening the practitioner's courage to do the right thing.

Rest's "moral sensitivity" component is related to the concept of "the moral point of view" (Pojman, 2005, p. 34) or moral perspective. Moral perspective involves, in part, the recognition that one's actions have consequences for others as well as for oneself. It involves the process of considering and caring about the ramifications of one's actions for others. Bok (1999) refers repeatedly to this perspective when she asks her readers to broaden their view about deception. She writes that liars often deceive to achieve some advantage for self, with insufficient consideration for the harms that result from those deceptions to those lied to (the dupes). Often, liars deceive to gain power over others; to help themselves achieve their objectives by diminishing the knowledge and power of the dupes in the situation.

Power is an important concept for advocates and public relations practitioners to consider. Communicators are powerful. The information they disseminate (or withhold) has the power to inform (or misinform) individuals and the public, to shape their assumptions about truth and reality, and to influence their decision-making, spending, attitudes, votes, choices, behaviors, and lifestyles. Like deception, the vices of arrogance, unwarranted secrecy, manipulation, disregard for others, artifice, injustice and raw self-interest all operate in one way or another to assist the Pathological Partisan to withhold power from others, and to garner it for themselves or their clients.

John Rawls's (1971) Veil of Ignorance exercise provides a useful conceptual tool by which to help facilitate the moral perspective. In this exercise, when a decision is to be made, one imagines everyone who will be affected by the decision to be standing behind a veil of ignorance, in an "original position" where everyone is equal in value, humanity, and power. Behind the veil, "no one knows his situation in society, nor his natural assets, and therefore no one is in a position to tailor principles to his advantage" (Rawls, 1971, p. 139). The objective is to make a decision that will be fair to all stakeholders when they step out from behind the veil and assume their identities in society. The process of decision-making from a position behind the veil thus "represents a genuine reconciliation of interests" (Rawls, 1971, p. 142). One result of the perspective-taking or "reflective equilibrium" provided by the deliberative veil of ignorance process is that "weaker parties will be protected" (Patterson and Wilkins, 2005, p. 143). The ethical perspective gained from behind the veil would discourage practices of advocacy that are designed to take unfair advantage of parties who are in weaker positions than advocates for a variety of reasons, including a lack of necessary and truthful information.

CONCLUSION

Moral perspective is perhaps most easily accomplished by applying the time-honored test of reversibility (or the Golden Rule) (Edgett, 2002, p. 17); to look to our own experience, and to ask ourselves how we want to be treated on the receiving end of advocacy. (I quote (or paraphrase)

directly and at length in this paragraph and the next from my chapter on "Principled Advocacy," Baker, 2018, pp. 320–322.) Most probably would agree that we do not want advocates to treat us with disrespect or disregard in the process of persuading us. We do not want to be lied to, or to have information withheld from us that we genuinely need to inform our correct understanding of the truth, and by which to make important decisions about our lives. We do not want advocates to persuade us to actions, viewpoints, or proposals in which they themselves do not genuinely believe – that they would not sincerely recommend to their own family or friends. We do not want advocates to deliver persuasive messages that are untrue, unfair, or misleading in their content, or unfair in the methods by which they are delivered. We do not want advocates' loyalties to their particular favorite causes, or to their desires to achieve particular outcomes, to be considered a justification for using artifice to manipulate us – our thoughts, decisions, and actions. We do not want to be influenced, personally or collectively, by advocates who act only in their own raw self-interest, who fail to consider the legitimate needs of ourselves and others, and who exempt themselves from moral responsibility to the common good, and to the betterment of society.

These are the vices of advocacy. Virtuous behaviors in advocacy would be the converse. We might ask ourselves, based upon our own experience, how we want to be treated when we are on the receiving end of advocacy. Most would probably agree that we want advocates to treat us with respect in the process of their efforts to persuade us. We want them to provide truthful information, and to be open and transparent in providing the information we reasonably need, and in identifying the sources and sponsors of their advocacy messages. We want them to deliver to us persuasive messages that are fair, just, and equitable in content and in the methods by which they are delivered. We want them to attempt to persuade us only to actions, viewpoints, or proposals in which they themselves genuinely believe – that they would sincerely recommend to their own family or friends. We want them to be principled advocates – to care about us to the extent that they recognize their basic moral responsibilities to us, to others, and to the common good, and to recognize and respond to our rights to self-determination free of manipulation (Baker, 2018, pp. 320–322).

This recognition of the rights and needs of others is the essence of the moral perspective, and it should propel the practitioner toward what Roy Peter Clark of the Poynter Institute has called the "green light" (versus the "red light") view of ethics. Red light ethics *proscribe*. They focus on restraint, suggesting what one ought *not* to do. Green light ethics, by contrast, *prescribe*. They mobilize creative energies and resources; they focus on mission and results, power and duty – on what one *ought* to do. Red light ethics constrain; green light ethics empower (Black and Steele, 1991, p. 9).

By providing a variety of ethical considerations, as well as practical tools for deliberation in moral reasoning in the practices of advocacy, this chapter's discussion is intended to empower public relations advocates, and to assure them that they are on solid ethical ground when these perspectives and decision-making methods have been implemented.

REFERENCES

Andersen, Kenneth E. (1978). *Persuasion: Theory and Practice*, 2nd ed. Boston: Allyn and Bacon.
Arjoon, S. (2000). "Virtue theory as a dynamic theory of business." *Journal of Business Ethics*, 28(2), 159–178.
Bagin, D., and Fulginiti, A. (2005). *Practical Public Relations: Theories and Techniques that Make a Difference*. Dubuque, Iowa: Kendall/Hunt.
Baker, Sherry. (1997). "Applying Kidder's Ethical Decision-making Checklist to Media Ethics." *Journal of Mass Media Ethics*, 12(4), 197–210.

Baker, Sherry. (1999a). "The Entitlement Model: A Morally Bankrupt Baseline for Justification of Marketing Practices." *Research in Marketing*, 15, 1–23.

Baker, Sherry. (1999b). "Five Baselines for Justification in Persuasion." *Journal of Mass Media Ethics*, 14(2), 69–81.

Baker, Sherry. (2002). "The Theoretical Ground for Public Relations Practice and Ethics: A Koehnian Analysis." *Journal of Business Ethics*, 25, 191–205.

Baker, Sherry. (2007). "'Commentary 2: A Case of Covert Persuasion'. Commentary on case: 'Wal-Mart Public Relations in the Blogosphere' by David Craig". *Journal of Mass Media Ethics*, 22 (2&3), 221–225.

Baker, Sherry. (2008). "The Model of the Principled Advocate and the Pathological Partisan: A Virtue Ethics Construct of Opposing Archetypes of Public Relations and Advertising Practitioners." *Journal of Mass Media Ethics*, 23(3), 235–253.

Baker, Sherry. (2009). "The Ethics of Advocacy: Moral Reasoning in the Practice of Public Relations." In Lee Wilkins, and Clifford G. Christians (Eds.), *The Handbook of Mass Media Ethics* (pp. 115–129). New York: Routledge.

Baker, Sherry. (2018). "Principled Advocacy." In Patrick Lee Plaisance (Ed.), *Communication and Media Ethics* (Series: Handbooks of Communication Science, Vol. 26) (pp. 311–328). Boston/Berlin: De Gruyter Mouton.

Baker, Sherry, and Martinson, David L. (2001). "The TARES Test: Five Principles for Ethical Persuasion." *Journal of Mass Media Ethics*, 16(2-3), 148–175.

Barney, Ralph, and Black, Jay. (2001). "Foreword." *Journal of Mass Media Ethics*, 16(2-3), 73–77.

Bivins, Thomas H. (2006). "Responsibility and Accountability." In Kathy Fitzpatrick, and Carolyn Bronstein (Eds.), *Ethics in Public Relations: Responsible Advocacy* (pp. 19–38). Thousand Oaks, CA: Sage.

Black, Jay, and Steele, Bob. (1991). "Red Light Ethics Vs. Green Light Ethics." Protocol: NPPA Photojournalism Ethics. Presented at the Annual Convention of the National Press Photographers Association, Washington, D.C., July.

Bok, Sissela. (1988). "Sissela Bok: Ethicist." *PBS interview with Bill Moyers*. Distributed by Films for the Humanities and Sciences.

Bok, Sissela. (1999). *Lying: Moral Choice in Public and Private Life*. New York: Vintage Books.

Edgett, Ruth. (2002). "Toward an Ethical Framework for Advocacy in Public Relations." *Journal of Public Relations Research*, 14(1), 1–26.

Foot, Philippa. (2001). *Natural Goodness*. Oxford, UK: Clarendon Press.

Gardner, Howard, Csikszentmihalyi, Mihaly, and Damon, William. (2001). *Good Work: When Excellence and Ethics Meet*. New York: Basic Books.

Gert, Bernard. (1998). *Morality: Its Nature and Justification*. New York: Oxford University Press.

Guth, D. W., and Marsh, C. (2006). *Public Relations: A Values-Driven Approach*, 3rd ed. Upper Saddle River, NJ: Pearson Education.

Hon, Linda. (2006). "Negotiating Relationships With Activist Publics." In Kathy Fitzpatrick, and Carolyn Bronstein (Eds.), *Ethics in Public Relations: Responsible Advocacy* (pp. 53–70). Thousand Oaks, CA: Sage.

Hursthouse, Rosalind. (2001). *On Virtue Ethics*. Oxford, UK: Oxford University Press.

Kagan, Jerome. (1998). *Three Seductive Ideas*. Cambridge, MA: Harvard University Press.

Kidder, Rushworth. (1995). *How Good People Make Tough Choices*. New York: Morrow.

Koehn, Daryl. (1994). *The Ground of Professional Ethics*. New York: Routledge.

Lattimore, D., Baskin, O., Heiman, S. T., Toth, E. L., and Van Leuven, J. K. (2004). *Public Relations: The Profession and the Practice*, 5th ed. New York: McGraw-Hill.

Lebacqz, Karen. (1985). *Professional Ethics*. Nashville, TN: Abingdon Press.

MacIntyre, Alasdair. (1984). *After Virtue: A Study in Moral Theory*, 2nd ed. Notre Dame, IN: University of Notre Dame Press.

MacIntyre, Alasdair. (2002). *Dependent Rational Animals: Why Human Beings Need the Virtues*. The Paul Carus Lecture Series 20, 1999. Chicago: Open Court.

Martinson, David. (1994). "Enlightened Self-Interest Fails as an Ethical Baseline in Public Relations." *Journal of Mass Media Ethics*, 9, 100–108.

Martinson, David. (1996). "'Truthfulness' in Communication Is Both a Reasonable and Achievable Goal for Public Relations Practitioners." *Public Relations Quarterly*, 41, 42–45.

Newsom, D., Turk, J. D., and Kruckeberg, D. (2007). *This Is PR: The Realities of Public Relations*, 9th ed. Belmont, CA: Thomson Wadsworth.

Palenchar, Michael J., and Heath, Robert L. (2006). "Responsible Advocacy Through Strategic Risk Communication." In Kathy Fitzpatrick, and Carolyn Bronstein (Eds.), *Ethics in Public Relations: Responsible Advocacy* (pp. 131–154). Thousand Oaks, CA: Sage.

Patterson, Philip, and Wilkins, Lee. (2005). *Media Ethics: Issues and Cases*, 5th ed. Boston: McGraw-Hill.

Plaisance, Patrick. (2007). "Transparency: An Assessment of the Kantian Roots of a Key Element in Media Ethics Practice." *Journal of Mass Media Ethics*, 22(2-3), 187–207.

Plaisance, Patrick. (2014). "Virtue in Media: The Moral Psychology of US Exemplars in News and Public Relations." *Journalism & Mass Communication Quarterly*, 91(2), 308–325.

Pojman, Louis P. (2005). *How Should We Live? an Introduction to Ethics*. Belmont, CA: Thomson Wadsworth.

Pojman, Louis P. (2006). *Ethics: Discovering Right and Wrong*. Belmont, CA: Thomson Wadsworth.

Rawls, John. (1971). *A Theory of Justice*. Cambridge, MA: Harvard University Press.

Rest, James. (1994). "Background: Theory and Research." In James R. Rest, and Darcia Narvaez (Eds.), *Moral Development in the Professions (pp. 22–25)*. Hillsdale, NJ: Erlbaum.

Seib, Philip. (2006). "The Ethics of Public Diplomacy." In Kathy Fitzpatrick, and Carolyn Bronstein (Eds.), *Ethics in Public Relations: Responsible Advocacy* (pp. 155–170). Thousand Oaks, CA: Sage.

Seitel, F. P. (2004). *The Practice of Public Relations*, 9th ed. Upper Saddle River, NJ: Pearson Prentice Hall.

Slote, M. (2000). Virtue ethics. In H. LaFollette (Ed.), *The Blackwell guide to ethical theory* (pp. 325–347). Malden, MA: Blackwell Publishers.

Treadwell, P. F., and Treadwell, J. B. (2004). *Public Relations Writing: Principles in Practice*, rev. ed. Thousand Oaks, CA: Sage.

Wright, Donald K. (2006). "Advocacy Across Borders." In Kathy Fitzpatrick, and Carolyn Bronstein (Eds.), *Ethics in Public Relations* (pp. 171–190). Thousand Oaks, CA: Sage.

12

The Ethics of Propaganda and the Propaganda of Ethics

Jay Black

This chapter, the ethics of propaganda and the propaganda of ethics, explores shifting definitions of propaganda, noting contributions from diverse disciplines: political science, philosophy, social psychology, education, semantics, and communication theory. These definitions remind us that how we define propaganda most assuredly determines whether we perceive the enterprise to be ethical or unethical. This section of the chapter is followed by a consideration of the social psychology and semantics of propaganda, given the significance of belief systems and language behaviors in producing, consuming, and critically comprehending the phenomenon. Finally, the entire enterprise is redefined in a way that should inform further studies of this pervasive and oft-lamented component of modern society, in both mainstream and social media.

Several premises underlie the discussion:

Propaganda is inevitable in today's media mix. It is not a question of "if" our society and its institutions engage in propaganda; it is rather a question of "how." It is not just what the "bad guys" do; traditional and emerging media systems are perfectly honed to be agents of propaganda, with modern media audiences its willing recipients.

Propaganda has become problematic in part because the lines have blurred among the information, persuasion, and entertainment functions of traditional/legacy and social/emerging media. Implications for ethics are striking, for those who would be successful propagandists, those who would avoid being propagandists, and those who would care to be more sophisticated targets for and students of propaganda.

"Truthiness," "fake news," "disinformation," "misinformation," "info-ganda," "alternative facts," "post-truth," "dog whistles," "infomercials," "advertorials," and "deep fake technology" are only a few of the many descriptors of contemporary propaganda (Epstein, 2019; Guarino, 2019; McIntyre, 2019; Pitts, 2019; Robinson, 2019; Swisher, 2019; Zakrzewski, 2019). Whether intended to be humorous or deadly serious, the terms describe a broad range of ways mainstream and social media blur the lines between truth and fiction. For instance, highly sophisticated computer imaging and artificial intelligence now make it possible to generate totally believable but completely fake stories—anathema in mainstream media, but not necessarily in social media.

It can be argued that the major challenge of propaganda in modern media is to those who gather, report, and consume news. This is because those in this particular media arena have a greater obligation to "get things right" for democratic self-government than do the entertainers, all the special persuaders and their audiences, and perhaps even those who produce a barrage of content for consumers comfortable in their own "echo chambers" or "silos."

This is not to say the propaganda of entertainment and persuasion is insignificant. Most of us recognize infomercials and advertorials when we see them—although the game is getting more sophisticated. But when journalists misuse their tools, melding information, persuasion, and entertainment; when they blur the lines between facts, inferences, and value judgments, we ought to be concerned. Meanwhile, those of us who consume their propaganda—especially the propaganda that fits comfortably into our belief systems and doesn't challenge us to be better citizens—can rightfully be called unethical propagandees in large part because we have placed our self-interest above the interests of others and the community on a daily, and sometimes hourly, basis.

SHIFTING PERSPECTIVES ON PROPAGANDA

Early Approaches to Propaganda

One implication of the term "propaganda," when it was first used in the sociological sense by the Roman Catholic Church, was to the spreading of ideas that would not occur naturally, but only via a cultivated or artificial generation. In 1622 the Vatican established the *Congregatio de Propaganda Fide*, or "Congregation for the Propaganda of Faith," to harmonize the content and teaching of faith in its missions and consolidate its power. This early form of propaganda was considered by the Church to be a moral endeavor (Combs and Nimmo, 1993, p. 201).

Over time the term took on more negative connotations; in a semantic sense, propaganda became value-laden; in an ethical sense, it was seen as immoral. In 1842 W. T. Brande, writing in the *Dictionary of Science, Literature and Art*, called propaganda something "applied to modern political language as a term of reproach to secret associations for the spread of opinions and principles which are viewed by most governments with horror and aversion" (Qualter, 1962, p. 4).

After World War I, Wreford (1923) maintained that propaganda had retained its pejorative connotations as "a hideous word" typical of an age noted for its "etymological bastardy" (Qualter, 1962, p. 7). At that time, the forces of propaganda, public relations, and psychological warfare had become inextricably intertwined in the public's mind (Bernays, 1928). Social scientists and propaganda analysts, strongly influenced by models of behaviorism, tended to depict a gullible public readily manipulated by forces over which it had little control (Institute for Propaganda Analysis, 1937; Lee and Lee, 1988). This depiction offended humanists and progressives. (For a good treatment of this, see Michael Sproule, 1989, 1997.)

Distinguishing between education and propaganda has been difficult. Nearly a century ago, Everett Martin (1929) wrote:

> Education aims at independence of judgment. Propaganda offers ready-made opinions for the unthinking herd. Education and propaganda are directly opposed both in aim and method. The educator aims at a slow process of development; the propagandist, at quick results. The educator tries to tell people *how* to think; the propagandist, *what* to think. The educator strives to develop individual responsibility; the propagandist, mass effects. The educator fails unless he achieves an open mind; the propagandist unless he achieves a closed mind.
>
> (p. 145)

Leonard Doob (1935) added: "If individuals are controlled through the use of suggestion…then the process may be called propaganda, regardless of whether or not the propagandist intends to exercise the control" (p. 80).

Harold Lasswell (1927) offered the first attempt to systematically define propaganda to assure some degree of validity and reliability in studies of the phenomenon. Propaganda, Lasswell wrote, is "the control of opinion by significant symbols, or, so to speak, more concretely and less accurately, by stories, rumors, reports, pictures, and other forms of social communications" (p. 627). Nearly a decade later, George Catlin (1936) defined propaganda as the mental instillation by any appropriate means, emotional or intellectual, of certain views.

The 1930s and 1940s saw propaganda's definitions reflecting social science's struggles between behaviorism (the "stimulus response" model) and a more value neutral stance. At the same time, propaganda was applied to increasingly broad categories of social and political phenomena.

Edgar Henderson (1943) proposed that no definition of propaganda can succeed unless it meets several requirements: (1) it must be objective; (2) it must be psychological, or at least socio-psychological, rather than sociological or axiological; (3) it must include all the cases without being so broad as to become fuzzy; (4) it must differentiate the phenomenon from both similar and related phenomena; (5) it must throw new light on the phenomenon itself, making possible a new understanding and systematization of known facts concerning the phenomenon, and suggesting new problems for investigation (p. 71). Given these criteria, Henderson claimed previous definitions fell short, and proposed that "Propaganda is a process which deliberately attempts through persuasion-techniques to secure from the propagandee, before he can deliberate freely, the responses desired by the propagandist" (p. 83). Stanley Cunningham (2002) has implied that the psychological bias reflected in Henderson's definition dominated the field for several decades, removing "profoundly philosophical determinants"—including considerations of ethics—from discourse about propaganda (p. 5).

Since Mid-Century

Following World War II, propaganda was often defined in accordance with constantly shifting perspectives on political theory and the processes/effects and structures/functions of mass communication. Increasingly, however, as media and organized persuasion enterprises *in and of themselves* were seen to have diminished mind-molding influences, definitions of propaganda shifted.

French social philosopher Jacques Ellul (1964, 1965), whose ideas have significantly informed the propaganda research agenda in recent decades, held a sophisticated view construing propaganda as a popular euphemism for the totality of persuasive components of culture. Ellul (1965) saw a world in which numerous elements of society were oriented toward the manipulation of individuals and groups, and thereby defined propaganda as "a set of methods employed by an organized group that wants to bring about the active or passive participation in its actions of a mass of individuals, psychologically unified through psychological manipulations and incorporated in an organization" (p. 61). Propaganda performs an indispensable function in society, according to Ellul (1965):

> Propaganda is the inevitable result of the various components of the technological society, and plays so central a role in the life of that society that no economic or political development can take place without the influence of its great power. Human Relations in social relationships, advertising or Human Engineering in the economy, propaganda in the strictest sense in the field of

politics—the need for psychological influence to spur allegiance and action is everywhere the decisive factor, which progress demands and which the individual seeks in order to be delivered from his own self.

(p. 160)

Ellul (1965) focused on the culturally pervasive nature of what he called "sociological" and "integration" propaganda. What Ellul (1965) defined as "the penetration of an ideology by means of its sociological context" (p. 63) is particularly germane to a study of mass media propaganda. Advertising, public relations, and the culturally persuasive components of entertainment media are definitely involved in the "spreading of a certain style of life" (p. 63) and all converge toward the same point. Meanwhile, news reporting that emerges from and reflects a dominant—some call it "hegemonic"—worldview would certainly qualify as integration propaganda, as would any news reporting that perpetuates closed-mindedness and undue reliance upon authority.

In a sense sociological propaganda is reversed from political propaganda, because in political propaganda the ideology is spread through the mass media to get the public to accept some political or economic structure or to participate in some action, while in sociological propaganda, the existing economic, political, and sociological factors progressively allow an ideology to penetrate individuals or masses. Ellul (1965) called the latter a sort of "persuasion from within a progressive adaptation to a certain order of things, a certain concept of human relations, which unconsciously molds individuals and makes them conform to society" (pp. 63–64). Well before social media raised concerns over "echo chambers" and "silos" Ellul had described "long-term propaganda, a self-reproducing propaganda that seeks to obtain stable behavior, to adapt the individual to his everyday life, to reshape his thoughts and behavior in terms of the permanent social setting" (p. 74).

It is significant that those who produce sociological or integration propaganda often do so unconsciously, given how thoroughly (and perhaps blindly) they themselves are invested in the values and belief systems being promulgated. Besides, if one is an unintentional "integration" propagandist merely seeking to maintain the status quo, one's efforts would seem to be *prima facie* praiseworthy and educational. However, when considering propaganda as a whole, Ellul (1981) concluded that the enterprise was pernicious and immoral—a view shared by many but not all other students of the subject. Ellul argued that pervasive and potent propaganda which creates a world of fantasy, myth, and delusion is anathema to ethics because (1) the existence of power in the hands of propagandists does not mean it is right for them to use it (the "is—ought" problem); (2) propaganda destroys a sense of history and continuity so necessary for a moral life; and (3) by supplanting the search for truth with imposed truth, propaganda destroys the basis for mutual thoughtful interpersonal communication and thus the essential ingredients of an ethical existence (Ellul, 1981, pp. 159–177; Johannesen, 1983, 1990, p. 116; Combs and Nimmo, 1993, p. 202; Cunningham, 1992).

An honest appraisal of propaganda scholarship shows a void of what Cunningham (2001, 2002) called front-line academic research between the 1950s and early 1980s. Cunningham has gone so far as to call propaganda a theoretically undeveloped notion during that period, and to laud the recent Ellulian-motivated resurgence of propaganda scholarship (Cole 1998). Some of that research and commentary (see Jensen, 1997; Combs and Nimmo, 1993; Cunningham, 2002; Edelstein, 1997; Frankfurt, 2005; Gordon, 1971; Lee, 1952; Jowett & O'Donnell, 1999; Penny, 2005; Pratkanis & Aronson, 1992; Smith, 1989; Solomon, 2005; Sproule, 1989, 1997; Taylor, 2003) have painted propaganda with a wider brush that covers the canvas of media, popular culture, and politics. While much of that scholarship posits that propaganda is systematic and purposive, others recognize the likelihood of unconscious or accidental propaganda, produced by unwitting agents of the persuasion industry.

HOW TO DETECT PROPAGANDA

In his 2000 book *Lies We Live By*, Carl Hausman offered "ten warning signs that the message you are reading, seeing, or hearing is propagandistic in nature." The "signs" were drawn largely from the Institute for Propaganda Analysis of the late 1930s, but incorporate some contemporary concerns about mass media propaganda:

1. The person presenting the message figuratively turns over card after card after card and everything squares with the message. All the cards are in the dealer's favor, and turn over exactly at the right time. If you get the gut feeling the deck is stacked, it probably is.
2. The message contains vague, but appealing, terms, such as "red-blooded Americans" or "progressive freethinkers."
3. The message contains vague, but somehow repellant, terms, like "card-carrying member of the ACLU."
4. There are many references to vague authority. "Professors at leading universities say…." Who are they? What universities? Or there are many testimonials when the connection between the person (usually famous) and the message are tenuous.
5. The message tries to convince you to do something because everybody else is doing it. You don't want to be left off the bandwagon.
6. The message or the messenger appeals to "plain folks." Be on guard when someone, particularly someone with a good deal of power and money, tries to convince you that he or she is just one of the "ordinary people."
7. Name-calling is used as a device to reinforce the message. Note, for example, whether the messenger uses words like "terrorist" or "freedom fighter."
8. The whole message seems deliberately confusing.
9. The message centers on transferring the attributes of one thing, like the Bible or the flag, to another person or thing.
10. The attribution is biased. Be on guard when sources are not quoted as "Smith said," but rather "Smith gloated" or "Smith tried to defend his actions by saying …"

(Hausman, 2000, pp. 136–137)

Media scholar Alex Edelstein, in his 1997 book *Total Propaganda: From Mass Culture to Popular* Culture, said "old propaganda" is traditionally employed by the government or the socially and economically influential members in "a hierarchical mass culture, in which only a few speak to many," and it is intended for "the control and manipulation of mass cultures." He contrasts this with the "new propaganda" inherent in a broadly participant popular culture "with its bedrock of First Amendment rights, knowledge, egalitarianism, and access to communication" (p. 5). Edelstein was writing prior to the ascendency of modern social media as dominant forces in popular culture; social media—including Facebook, a global behemoth—have yet to strike a satisfactory balance between freedom and responsibility.

Canadian philosopher Stanley Cunningham (1992, 2001, 2002) has argued strenuously against both the value-free definitions posed by social scientists and the value-laden definitions replete with unsupported assertions offered by pundits. In their stead he has insisted that the cultural or mass-mediated environmental phenomenon can only be fully understood in terms of articulated theory and method, and that defining the term per se is "neither possible nor necessary" (2002, p. 176). To that end, he proposed an eleven-paragraph description of propaganda in a chapter titled "The Metaphysics of Propaganda" (2002, pp. 176–178). Among other

considerations, Cunningham insisted that propaganda is not morally neutral, that it is counterfeit or pseudocommunication:

> Because it inverts principal epistemic values such as truth and truthfulness, reasoning and knowledge, and because of its wholesale negative impact upon voluntariness and human agency, and because it also exploits and reinforces a society's moral weaknesses, propaganda is not ethically neutral. Rather, it is an inherently unethical social phenomenon.
>
> (Cunningham, 2002, p. 176)

Although reluctant to offer a simple definition of propaganda, Cunningham (2001) did not hesitate to characterize the phenomenon in terms of the serious ethical challenges it poses:

> Propaganda comprises a whole family of epistemic disservices abetted mostly (but not entirely) by the media: It poses as genuine information and knowledge when, in fact, it generates little more than ungrounded belief and tenacious convictions; it prefers credibility, actual belief states, and mere impressions to knowledge; it supplies ersatz assurances and certainties; it skews perceptions; it systematically disregards superior epistemic values such as truth, understanding, and knowledge; and it discourages reasoning and a healthy respect for rigor, evidence, and procedural safeguards. In sum, what really defines propaganda is its utter indifference to superior epistemic values and their safeguards in both the propagandist and the propagandee.
>
> (p. 139)

THE SOCIAL PSYCHOLOGY OF PROPAGANDA

Scholarly analyses of propaganda tend to focus on either the political or philosophic or semantic/rhetorical nature of the beast. An equally intriguing set of insights can be offered by social psychologists, concerned as they are with the nature of belief and value systems and the various psychological needs that a phenomenon such as propaganda tends to fulfill. A truncated look at some of this literature in instructive for a holistic understanding of the ethics of propaganda, propagandists, and propagandees in contemporary society.

Harold Lasswell said as far back as 1936 that technological western democracies are characterized by circumstances that give rise to two general categories of need fulfillment: catharsis and readjustment. By catharsis he referred to the discharge of tension with a minimum of change in overt social relationships; by readjustment, the removal of the symbolic or material source of insecurity (1947, p. 403). Citizens overwhelmed by powerlessness and anomie turned instead to their own affairs; they became privatized. Recent concerns over media propaganda have been based on the often stated assumption that one responsibility of a democratic media system is to encourage an open-minded citizenry—that is, a people who are curious, questioning, unwilling to accept simple pat answers to complex situations, and so forth. (Kovach and Rosensteil, 2001). Mental freedom, the argument goes, comes when people have the capacity, and exercise the capacity, to weigh numerous sides of controversies (political, personal, economic, and so forth) and come to their own rational decisions, relatively free of outside constraints. Columnist Eugene Robinson (2019) is among First Amendment enthusiasts who maintain that a healthy dose of truth is the best antidote to overcome the noisy political propaganda machinery. However, social psychologists and political scientists argue that more information in and of itself is not a cure for propaganda—that other variables control how and what we see and perceive. Even media consumers highly motivated to make well-informed decisions reside in a public square that lacks consensus perceptions, and facts become increasingly irrelevant due to public discourse that reinforces deeply held values and identities.

The Open and Closed Mind

A growing body of research on perception and belief systems seems to be concluding that individuals constantly strive for cognitive balance and that individuals will select and rely upon information consistent with their basic perceptions. Donohew and Palmgreen (1971), for instance, showed that open-minded journalists underwent a great deal of stress when having to report information they were not inclined to believe or agree with, because the open-minded journalists' self-concepts demanded that they fairly evaluate all issues. Closed-minded journalists, on the other hand, underwent much less stress because it was easy for them to make snap decisions consistent with their basic worldviews (pp. 627–639, 666).

Social psychologist Milton Rokeach, in his seminal work *The Open and Closed Mind* (1960), concluded empirically that the degree to which a person's belief system is open or closed is the extent to which the person can receive, evaluate, and act on relevant information received from the outside on its own intrinsic merits, unencumbered by irrelevant factors in the situation arising from within the person or from the outside (p. 57). To Rokeach, open-minded individuals seek out sources (media and otherwise) that challenge them to think for themselves, rather than sources that offer overly simplified answers to complex problems. Closed-minded or dogmatic media consumers, on the other hand, seek out and relish the opposite kinds of messages (Rokeach, 1954, 1960, 1964).

Several of Rokeach's validated insights into open- and closed- mindedness (Vacchiano et al., 1969) are helpful when studying propaganda: the belief-disbelief dimensions; the central, intermediate, and peripheral dimensions; and the time-perspective dimensions. Let us consider each of them in turn.

1. *The belief-disbelief dimensions*. A person's belief system represents all the beliefs, sets, expectancies, or hypotheses, conscious and unconscious, which that person at a given time accepts as true of the world he or she lives in; the disbelief system, or series of subsystems, reflects the same dimensions that the person rejects as false (Rokeach, 1960, p. 33). This total framework, or composite of systems, includes not only what is usually referred to as "ideology" (i.e., the type of thoughts and attitudes based largely on communication *per se*), but also highly personalized pre-ideological beliefs, beliefs that are undoubtedly formed by a composite of influences. Rokeach evaluated the basic belief-disbelief systems in terms of their isolation and differentiation. By isolation he meant the perceived lack of relationship between beliefs that may be intrinsically related to each other; by differentiation, the degree of articulation or richness of detail within the basic system and its various parts.

   While we cannot safely say that propaganda has created the basic nature or degree of isolation and differentiation between belief and disbelief systems, it is fascinating to note the parallels between the commonly expressed goals of propaganda and the shortcomings Rokeach pointed out in the isolation and differentiation characteristics of the dogmatic individual. The most fundamental conditions of the closed-minded individual are the high magnitude of rejection of all disbelief systems, and little differentiation within the disbelief system (Rokeach, 1960, p. 61). A dogmatic propagandist or propagandee would thus have the following behaviors, as described by Ellul (1965): offering relatively rigid responses to complex issues; being relatively unimaginative, with a tendency to stereotype; being sterile with regard to socio-political process; being unable to adjust to situations other than those created by propaganda; seeing the world in terms of strict opposites; being involved in unreal conflicts created and blown up by propaganda; giving

everything his or her own narrow interpretation, depriving facts of their real meaning or order to integrate them into his or her own system and given them an emotional coloration (p. 167).

2. *The central-intermediate-peripheral dimensions.* Rokeach (1960, 1964) conceived of beliefs as existing in either three or five non-rigidly outlined layers: a *central region* (or central regions, positive and negative), representing a person's primitive and relatively impervious-to change beliefs about the nature of the physical world, the nature of the "self," and the "generalized other"; an *intermediate region*, representing the beliefs a person has in and about the nature of authority and the people who line up with author-ity, on whom a person depends to help form a picture of the world to be lived in; and a *peripheral region* (or peripheral regions), representing the beliefs derived consciously or unconsciously from authority, beliefs that fill up the details of a person's frame of reference.

   In studying these dimensions, Rokeach focused on the degree to which people receive and act upon communication that helps them round out their pictures of the world and the degree of reliance placed upon authority figures (rational, tentative reliance for the non-dogmatists; arbitrary, absolute reliance for the dogmatists). Change of primitive beliefs is difficult to effect. A smart propagandist knows it would be a waste of time to directly attack such central beliefs. However, a successful propagandist will take advan-tage of those beliefs, will nuance them, will employ authority figures creatively, and will play rhetorical and semantic games with them, doing much of the propagandizing at the peripheral or inconsequential level of beliefs, where slogans, brand names, and other insignificant rhetoric are employed and where media provide conversational items, social status, and a bit of self-worth. Meanwhile, propaganda would seem to work best on the open-minded in cases when the propaganda gives the appearance of employing multiple and contrasting authorities, when individuals are led to believe they can pick and choose for themselves—from authorities and prejudices pre-selected by the propagandist! (Ellul and other researchers have observed that propaganda may actually be most effective on intellectuals, who pride themselves on being exposed to and to weigh conflicting infor-mation, especially information outside their normal fields of expertise. But that's a topic for another day.)

   Selective attention, perception, and retention are artifices of the central-intermediate-peripheral belief system—how and what we choose to attend to, be cognizant of, and recall depends largely upon how those three dimensions of our belief system line up. It follows, then, that the dogmatist is seemingly unaware of the interconnectedness of the three regions, while the open-minded is more cognizant and hence, less vulnerable to propaganda.

3. *The time-perspective continuum.* The place of a time-perspective dimension in a consid-eration of belief systems is based on Rokeach's conclusion that the way a person feels about the past, present, and future as they relate to each other is an important part of that person's entire view on the world. To the relatively open-minded person, the past, present, and future are all represented within the belief-disbelief dimension in such a way that the person sees them as being related to each other. The relatively closed-minded person, on the other hand, has a narrow time perspective. The closed-minded person would have a simplistic concept of causes and effects; the open-minded would think in terms of multi-ple causality, and in terms of concomitants rather than simple causality.

   Propaganda, it follows from the above, is very likely to be created by and aimed at the closed-minded who have a time-perspective disconnect.

Belief Systems and Media Propaganda

One of the dominant themes in media criticism for much of past half-century or so has been the tendency of media to mitigate against open-mindedness. The body of literature is vast, and only a snapshot of it appears here.

Gilbert Seldes (1957) expressed fear that the mass media had begun to inculcate in the audience a weakened sense of discrimination, a heightening of stereotypical thinking patterns, a tendency toward conformity and dependence (p. 26, 50–62). A decade earlier, Harold Lasky (1948) had observed that

> The real power of the press comes from the effect of its continuous repetition of an attitude reflected in facts which its readers have no chance to check, or by its ability to surround these facts by an environment of suggestion which, often half-consciously, seeps its way into the mind of the reader and forms his premises for him without his even being aware that they are really prejudices to which he has scarcely given a moment of thought.
>
> (p. 670)

Charles Wright (1959) expressed similar concerns. The mid-century views of Seldes, Lasky, and Wright do not depart radically from the 1922 lamentations of Walter Lippmann concerning the stereotypical pictures in the heads of people. The logic of Ellul (1965) is compelling in this regard, as he argued that people in a technological society *need* to be propagandized, to be "integrated into society" via media. Modern citizens, Ellul concluded, therefore condemn themselves to lives of successive moments, discontinuous and fragmented—and the news media are largely responsible.

The hapless victims of information overload seek out propaganda as a means of ordering the chaos, according to Ellul. Propaganda gives them explanations for all the news, so that it is classified into easily identifiable categories of good and bad, right and wrong, worth-worrying-about and not-worth-worrying-about, and so forth. The propagandees allow themselves to be propagandized, to have their cognitive horizons narrowed. Ellul argued people are doubly reassured by propaganda because it tells them the reasons behind developments and because it promises a solution for all the problems that would otherwise seem insoluble. "Just as information is necessary for awareness, propaganda is necessary to prevent this awareness from being desperate," Ellul concluded (1965, pp. 146–147).

If our nature is to eschew dissonance and move toward a homeostatic mental set, the crazy quilt patterns of information we receive from our mass media would certainly drive us to some superior authority of information or belief that would help us make more sense of our world. Propaganda thus becomes inevitable.

Most of the foregoing emphasizes the propagandee's belief system, showing parallels between dogmatic personality types and the "typical" propagandee. Not much of a case has been made to maintain that propagandists themselves possess the basic characteristics of the dogmatist, but there is much evidence suggesting that communicators who are intentionally and consciously operating as propagandists recognize that one of their basic tasks is to keep the minds of their propagandees closed. Unconscious propagandists are another matter. They may be unaware that they have absorbed the belief and value system which they propagate in their daily integration or socialization propaganda. Their unexamined propagandistic lives reflect a cognitive system that has slammed as tightly shut as those of the authorities for whom they blindly "spin" and as the most gullible of their propaganda's recipients.

As Donohew and Palmgreen (1971) implied, it appears to be difficult and stressful for both media practitioners and media consumers to retain pluralistic orientations. But if media personnel

and audiences never find themselves concerned over contradictory information, facts that don't add up, opinions that don't cause them to stop and think, then they are being closed-minded purveyors and passive receivers of propaganda.

THE SEMANTICS OF PROPAGANDA

Many of the above findings are highly consistent with the body of knowledge referred to as "general semantics." This is not surprising, given how much the scholars have in common: All are interested in how people perceive the world and how they subsequently communicate their perceptions or misperceptions. General semantics, a field of study framed by Alfred Korzybski (1933/1948) in *Science and Sanity*, assesses human's unique symbolic behavior. At the heart of the field is the argument that unscientific or "Aristotelian" assumptions about language and reality result in semantically inadequate or inappropriate behavior.

Numerous empirical studies of general semantics reinforce these original suppositions. Studies of children and adults trained in general semantics principles have demonstrated that semantic awareness results in such diverse achievements as improved perceptual, speaking, reading, and writing skills (Berger, 1965; Glorfield, 1966; Haney, 1962–1963; Livingston, 1966; Ralph, 1972; True, 1966; Weaver, 1949; Weiss, 1959; Westover, 1959), generalized intelligence (Haney, 1962–1963; Steele, 1972), decreased prejudice (J. A. Black, 1972), decreased dogmatism (J. J. Black, 1974; Goldberg, 1965), and decreased rigidity (J. J. Black, 1974).

General semanticists' descriptions of sophisticated ("sane") language behavior include—but are not limited to—awareness that (1) our language is not our reality, but is an inevitably imperfect abstraction of that reality; (2) unless we're careful, our language usually reveals more about our own biases than it does about the persons or objects we're describing; (3) people and situations have unlimited characteristics; the world is in a constant process of change; our perceptions and language abilities are limited; (4) a fact is not an inference and an inference is not a value judgment; (5) different people will perceive the world differently, and we should accept authority figures', sources', and witnesses' viewpoints as being the result of imperfect human perceptual processes, and not as absolute truth; and (6) persons and situations are rarely if ever two-valued; propositions do not have to be either "true" or "false," specified ways of behaving do not have to be either "right" or "wrong," "black" or "white"; continuum-thinking or an infinite-valued orientation is a more valid way to perceive the world than an Aristotelian two-valued orientation (Bois, 1966; Chase, 1938, 1954; Hayakawa, 1939, 1941, 1949, 1954, 1962; Johnson, 1946; Korzybski, 1948; Lee, 1941, 1949; Black, 1977, 2001); see also *ETC: A Review of General Semantics*, a quarterly published by the Institute of General Semantics.

Emerging from this literature are conclusions about a series of semantic patterns that typify the semantically sophisticated or unsophisticated individual. The patterns are highly reflective of Rokeach's typologies of the open-minded or closed-minded individual and of propaganda analysts' descriptions of the non-propagandistic or propagandistic individual.

Specific semantic problems for the journalist can be identified, and semantic solutions to those problems can be proposed. Although presented in polarized form, they are best understood in terms of a continuum:

1. *Problem: the blurring of abstraction levels*: Problems arise when journalists carelessly jump within and among different levels of abstraction, when they leave the impression that "that's the way it is," when they draw inferences and value judgments without sharing with their readers and viewers the hard data (if any) used to move to those higher levels of abstraction.

Alternative to blurring levels of abstraction: Journalists should know, and show, the differences between objects, statements of fact, inferences, and value judgments. They should remember that abstraction is the inevitable process of narrowing and reducing data from the real world and from human's limited ability to observe it.

Journalists would do well to tell what someone or something "does" rather than what it "is." The order of abstraction should go from fact, to description, to inference, to value judgment; journalists should show their evidence so audiences can follow the same logical pattern. As David Ignatius (1999) explained in the *Washington Monthly*, journalists would do well to follow the 1950s advice of J. Russell Wiggins, who said that "The reader deserves one clean shot at the facts" ("Just the Facts?", p. 26).

"The ethics of journalism … must be based on the simple truth that every journalist knows the difference between the distortion that comes from subtracting observe data and the distortion that comes from adding invented data" (Hersey, 1986, p. 290).

2. *Problem: the tendencies toward "allness"*: Problems arise when journalists act as though they have seen all they need to (or could possibly) see, have described all they need to (or could possibly) describe, and have concluded all they need to (or could possibly) conclude. They are genuinely surprised when they find exceptions to their dogmatic view of reality, and then they write stories about what they (but few others) find sensational or bizarre. They make unqualified predictions based on what they pass off as complete evidence. They forget that their sources and news subjects are very likely not to be objective, but find no reason to go beyond the truncated versions of "absolute truth" the sources offer up to interviewers.

Alternative to "Allness": Journalists should be conscious of "etcetera," aware that while their descriptions may be adequate, they are not complete: People can never see, or say, everything that needs to be seen or said about an individual or situation, so they shouldn't pretend they're doing otherwise. Semantically sophisticated writing is characterized by "etc" terms. Journalism that seeks alternatives to "allness" is filled with answers to "how much" and "to what extent" questions; the journalistic dialogue encourages statements of theory and hypotheses, rather than absolute law. To achieve this, reporters are driven by boundless curiosity and dissatisfaction with simplistic explanations of complex issues. Humility and ethics require that journalists don't leave the impression that they have exhausted the territory.

3. *Problem: the "two-valued orientation"*: Semantic and ethical problems arise when the world—and all its sub-sets of data—are arbitrarily divided into mutually exclusive, polarized opposites. "As reporter Christiane Amanpour advises, objectivity must go hand in hand with morality" ("Just the Facts?" *The Washington Monthly*, January/February, 1999, p. 23).

Alternative to the "two-valued orientation": To demonstrate a multi-valued orientation, the use of "etcetera" is helpful. It reminds reporters and audiences that persons and situations are rarely if ever two-valued; that propositions do not have to be either "true" or "false," specified ways of behaving do not have to be either "right" or "wrong," "black" or "white," that continuum-thinking or an infinite-valued orientation is a more intellectually honest way to perceive and communicate about the world than an Aristotelian two-valued orientation. Indeed, a multi-valued journalist relishes subtlety in sources, subjects, and stories, and processes dissonance with a certain amount of comfort.

4. *Problem: the "is of identity"*: When journalists ask "what is?" or "who is?" the answers tend to be stereotypes. The questions, and answers, may make reporters and audiences appear unconscious of myriad individual differences among individuals, situations, and problems. "Truth claims" can emerge from observation and scientific evidence, or from

unverifiable bases such as faith, aesthetics, authority, intuition, or philosophy. Problems arise when journalists fail to recognize which is which.

When "to be" verbs are used as an equal sign they suggest that language is equated to reality. To do so is to set up false-to-fact relationships, resulting in stereotypes, labels, name-calling, and instant classification of individuals, groups, situations, and so forth. Such behaviors ignore the fact that language is only an imperfect abstraction of reality.

Alternative to the "is of identity": Semantically sophisticated journalists seek nuances. They use verbs of "non-identity." They separate nouns with qualifying verbs (if only in their heads). They do whatever it takes to differentiate among people, situations, and problems.

5. *Problem: the "is of predication"*: When people use "to be" verbs between nouns and adjectives ("he is stupid," "she is beautiful," etc.), or when they carelessly employ adjectives to affirm qualities, they may be assuming falsely that everyone else sees the qualities in the same way, through the same viewfinder.

Alternative to the "is of predication": Reporters are advised to be conscious of their selectivity and projections by qualifying problematic noun/adjective relationships. Competent journalists not only use these constructs in their own conclusions, but ask questions in such a way that interviewees are encouraged to use them also.

6. *Problem: being time-bound*: The time-bound ahistorical journalist apparently fails to understand or appreciate the interconnectedness of time and development, the interrelationship of past, present, and future. Such a journalist dwells on the past, fixates narrowly on the present, or dreams idly of the future.

Alternative to being time-bound: Change is the constant companion for the semantically sophisticated journalist. Life is gestalt—anything is the cause and result of everything. Conscientious journalists need not be obsessed by past/present/future interrelationships, but do well to appreciate them. They should be curious about their heritage, learn from their mistakes, and remain guardedly optimistic.

"Attitude Reporting" and "Articlesclerosis"

One reason to conflate general semantics, belief systems, and propaganda theory is to address a general category of the new propaganda in the media. Some have called it "Attitude Reporting," but a better term might be "Articlesclerosis—the hardening of the articles." Blurring of inverted pyramid and narrative styles of writing, of fact and opinion, of detailed description and value judgment, of straight information and distracting entertainment, of objectivity and subjectivity, are the characteristics of journalism-cum-propaganda. Fred Brown, a *Denver Post* editor, observed that "We are increasingly inserting ourselves between our readers and the information they need, and that surely counts as an ethical problem" (Brown, 2001, p. 38). Brown faulted his profession for two practices that violate traditional norms and are ethically disquieting: first, a patronizing and condescending story-telling approach to everyday stories ("in an effort to attract people who don't much care about the news"), the second, "oh-so-cunning, supercilious" and "smarty-pants" reporting of politics, in an effort "to impress people who spend altogether too much time trying to outmaneuver us" (Brown, 2001, p. 38).

David Ignatius (1999), veteran reporter and editor, said that:

The biggest danger I encountered in my years as an editor was a reflective cynicism among some reporters that led them to assume they knew what a story was about, before they had actually done the reporting. They would begin with an assumption of who the good guys and bad guys were,

and then organize the facts around that hypothesis. Sometimes, reporters were so confident about their *a priori* hypothesis that they would make only the most perfunctory, last-minute efforts to contact the "bad guys."

("Just the Facts?", p. 27)

PROPAGANDA REFRAMED

We can now amalgamate these insights into a conceptualization about the propagandistic nature of contemporary society. The picture that emerges of propagandists/propaganda/propagandees and their opposites, as uncovered by the preceding discussions, reveals several definite patterns of semantic/belief systems/ethical/etc. behavior. Note that on the one hand the dogmatist (typical of propagandist and propagandee, and revealed in the manifest content of propaganda) seeks psychological closure whether rational or not; appears to be driven by irrational inner forces; has an extreme reliance upon authority figures; reflects a narrow time perspective; and displays little sense of discrimination among fact/inference/value judgment. On the other hand, the non-dogmatist faces a constant struggle to remain open-minded by evaluating information on its own merits; is governed by self-actualizing forces rather than irrational inner forces; discriminates between/among messages and sources and has tentative reliance upon authority figures; recognizes and deals with contradictions, incomplete pictures of reality, and the interrelationship of past, present, and future; and moves comfortably and rationally among levels of abstraction (fact, inference, value judgment).

The above typologies help lead us to an original definition of propaganda, one that partially meets the criteria laid down decades ago by Henderson (1943): It is socio-psychological, broad without being fuzzy, differentiates propaganda from similar and related phenomena, and sheds new light on the phenomena. In addition, it describes the characteristics of the propagandists, the propaganda they produce, and the propagandees—something sorely lacking in many other definitions. Finally—and significantly—it injects the philosophic notion of ethics into the enterprise.

The definition is as follows: While it may or may not emanate from individuals or institutions with demonstrably closed minds, the manifest content of propaganda contains characteristics one associates with dogmatism or closed-mindedness; while it may or may not be intended as propaganda, this type of communication seems non-creative and appears to have as its purpose the evaluative narrowing of its receivers. While creative communication accepts pluralism and displays expectations that its receivers should conduct further investigations of its observations, allegations, and conclusions, propaganda does not appear to do so. Rather, propaganda is characterized by at least the following half-dozen specific characteristics:

1. A heavy or undue reliance on authority figures and spokespersons, rather than empirical validation, to establish its truths, conclusions, or impressions.
2. The utilization of unverified and perhaps unverifiable abstract nouns, adjectives, adverbs, and physical representations, rather than empirical validation, to establish its truths, conclusions, or impressions.
3. A finalistic or fixed view of people, institutions, and situations, divided into broad, all-inclusive categories of in-groups (friends) and out-groups (enemies), beliefs and disbeliefs, situations to be accepted or rejected *in toto*.
4. A reduction of situations into readily identifiable cause and effect relationships, ignoring multiple causality of events.

5. A time perspective characterized by an overemphasis or underemphasis on the past, present, or future as disconnected periods, rather than a demonstrated consciousness of time flow.
6. A greater emphasis on conflict than on cooperation among people, institutions, and situations.

This definition encourages a broad-based investigation of public communications behavior along a propaganda–non-propaganda continuum. Practitioners and observers of media and persuasion could use this definition to assess their own and their media's performance.

The definition applies to the news/information as well as to entertainment and persuasion functions in traditional and emerging media. Many criticisms of the supposedly objective aspects of media are entirely compatible with the above standards. Meanwhile, since most people expect the advertisements, public relations programs, editorials, and opinion columns to be non-objective and persuasive, if not outright biased, they may tend to avoid analyzing such messages for propagandistic content. However, because those persuasive messages can and should be able to meet their basic objectives *without* being unduly propagandistic, they should be held to the higher standards of non-propaganda. (For what it's worth, persuasive media that are propagandistic, as defined herein, would seem to be less likely to attract and convince open-minded media consumers than to reinforce the biases of the closed-minded true believers, which raises an intriguing question about persuaders' ethical motives.)

CONCLUSIONS

This chapter does not suggest that the necessity for mediating reality and merchandising ideas, goods, and services inevitably results in propaganda: Far from it. But we do suggest that when there is a pattern of behavior on the part of participants in the communications exchange that repeatedly finds them dogmatically jumping to conclusions, making undue use of authority, basing assumptions on faulty premises, and otherwise engaging in inappropriate semantic behavior, then we can say they are engaging in propaganda. They may be doing it unconsciously. They may not be attempting to propagandize or even be aware that their efforts can be seen as propagandistic or know that they are falling victim to propaganda. It may just be that their view of the world, their belief systems, their personal and institutional loyalties, and their semantic behaviors are propagandistic.

But this doesn't excuse them.

It is sometimes said, among ethicists, that we should never attribute to malice what can be explained by ignorance. That aphorism certainly applies to propaganda, a phenomenon too many observers have defined as an inherently immoral enterprise that corrupts all who go near it. If we consider propaganda in less value-laden terms, we may recognize ways all participants in the communications exchange can proceed intelligently through the swamp, and we can make informed judgments about the ethics of particular aspects of our communications rather than indicting the entire enterprise.

It is possible to conduct public relations, advertising, and persuasion campaigns, plus the vast gamut of informational journalism efforts—and even to employ social media—without being *unduly* propagandistic.

In a politically competitive democracy and a commercially competitive free enterprise system, modern media function best when allowing a competitive arena in which the advocates of all can do battle. What many call propaganda therefore becomes part of that open marketplace

of ideas; it is not only inevitable, but may be desirable that there are *openly recognizable and competing propagandas* in a democratic society, propagandas that challenge all of us—producers and consumers—to wisely sift and sort through them.

A fully functioning democratic society needs pluralism in its persuasion and information, and not the narrow-minded, self-serving propaganda some communicators inject—wittingly or unwittingly—into their communications and which, it seems, far too many media audience members unconsciously and uncritically consume. Open-mindedness and mass communications efforts need not be mutually exclusive.

REFERENCES

"Just the facts?" (1999). *The Washington Monthly*, January/ February, pp. 22–25.

Berger, I. (1965). "Eleven Commonsense Principles about Language: Student Writing Examined for Logic and Clarity." In M. Judine (Ed.), *A Guide for Evaluating Student Compositions: A Collection of Readings*. Champaign: National Council of Teachers of English.

Bernays, E. L. (1928). *Propaganda*. New York: Liveright.

Black, J. A. (1972). "A Language Approach to Prejudice." *Etcetera*, 29, March, 9–11.

Black, J. J. (1974). "General semantics, Belief systems, and Propaganda: Interrelationships in Journalism." Unpublished PhD dissertation, University of Missouri.

Black, J. J. (1977–1978). "Another Perspective on Mass Media Propaganda." *General Semantics Bulletin*, 44, 45, 92–104.

Black, J. J. (2001). "Semantics and Ethics of Propaganda." *Journal of Mass Media Ethics*, 16, 121–137.

Bois, J. S. (1966). *The Art of Awareness*. Dubuque, Iowa: Wm. C. Brown.

Brown, F. (2001). "Keep It Straightforward." *Quill Magazine*, January/February, p. 38.

Catlin, G. E. G. (1936). "Propaganda as a Function of Democratic Government." In H. W. Childs (Ed.), *Propaganda and Dictatorship: A Collection of Papers*. Princeton, NJ: Princeton University Press, 125–148.

Chase, S. (1938). *The Tyranny of Words*. New York: Harcourt Brace.

Chase, S. (1954). *The Power of Words*. New York: Harcourt Brace.

Cole, R. (Ed.). (1998). *The Encyclopedia of Propaganda*. Armonk, NY: Sharpe.

Combs, J. E., and Nimmo, D. (1993). *The New Propaganda: The Dictatorship of Palaver in Contemporary Politics*. White Plains, NY: Longman.

Cunningham, S. (1992). "Sorting Out the Ethics of Propaganda." *Communication Studies*, 43, 233–245.

Cunningham, S. (2001). "Responding to Propaganda: An Ethical Enterprise." *Journal of Mass Media Ethics*, 16, 138–147.

Cunningham, S. (2002). *The Idea of Propaganda: A Reconstruction*. Westport, CT: Praeger.

Donohew, L., and Palmgreen, P. (1971). "An Investigation of 'mechanisms' of Information Selection." *Journalism Quarterly*, 48, 627–639, 666.

Doob, L. W. (1935). *propaganda, Its Psychology and Technique*. New York: Henry Holt.

Edelstein, A. (1997). *Total Propaganda: From Mass Culture to Popular Culture*. Mahwah, NJ: Erlbaum.

Ellul, J. (1964). *The Technological Society*. New York: Vintage Books.

Ellul, J. (1965). *Propaganda: The Formation of Men's Attitudes*. New York: Alfred A. Knopf.

Ellul, J. (1981). "The Ethics of Propaganda: Propaganda, innocence, and Amorality." *Communication*, 6, 2, 159–177.

Epstein, J. (2019). "The Four-Way Test in a Post-Truth Era." *The Rotarian*, May.

Frankfurt, H. G. (2005). *On Bullshit*. Princeton, NJ: Princeton University Press.

Glorfield, L. E. (1966). "Effects of a Limited Semantics Methodology on the Writing Improvement of College Freshmen." *Unpublished PhD dissertation*, University of Denver.

Goldberg, A. (1965). "The Effects of a Laboratory Course in General Semantics." *Etcetera*, 22, March, 19–24.

Gordon, G. N. (1971). *Persuasion: The Theory and Practice of Manipulative Communication*. New York: Hastings House.

Guarino, B. (2019). "Misinformation Is Everywhere. These Scientists Can Teach You to Fight BS." *The Washington Post*, June 24.

Haney, W. V. (1962–1963). "The Uncritical Inference Test: Applications." *General Semantics Bulletin*, 28–29, 34–37.

Hausman, C. (2000). *Lies We Live By: Defeating Double-Talk and Deception in advertising, politics, and the Media*. New York: Routledge.

Hayakawa, S. I. (1939). "General Semantics and Propaganda." *Public Opinion Quarterly*, 3, April, 197–205.

Hayakawa, S. I. (1941). *Language in Action*. New York: Harcourt Brace.

Hayakawa, S. I. (1949). *Language in Thought and Action*. New York: Harcourt Brace.

Hayakawa, S. I. (1954). *Language, Meaning and Maturity*. New York: Harper & Brothers.

Hayakawa, S. I. (Ed.). (1962). *The Use and Misuse of Language*. Greenwich, CT: Fawcett.

Henderson, E. H. (1943). "Toward a Definition of Propaganda." *Journal of Social Psychology*, 18, 71–87.

Hersey, J. (1986). "The Legend on the License." *The Yale Review*, 72, 2, 289–310.

Ignatius, D. (1999). "Just the Facts?" *Washington Monthly*, January/February, p. 27.

Institute for Propaganda Analysis. (1937). "How to Detect Propaganda." *Propaganda Analysis*, 1, November, 1–4.

Jensen, J. V. (1997). *Ethical Issues in the Communication Process*. Mahwah, NJ: Erlbaum.

Johannesen, R. L. (1983). *Ethics in Human Communication*, 2nd ed. Prospect, IL.: Waveland Press.

Johannesen, R. L. (1990). *Ethics in Human Communication*, 3rd ed. Prospect, IL.: Waveland Press.

Johnson, W. (1946). *People in Quandaries: The Semantics of Personal Adjustment*. New York: Harper & Brothers.

Jowett, G. S., and O'Donnell, V. (1999). *Propaganda and Persuasion*. Thousand Oaks, CA: Sage.

Korzybski, A. H. (1933/1948). *Science and Sanity: An Introduction to Non-Aristotelian Systems and General Semantics*, 4th ed. Lakeville CT: Non-Aristotelian Library. (Original work published 1933).

Kovach, B., and Rosensteil, T. (2001). *The Elements of Journalism: What Newspeople Should Know and the Public Should Expect*. New York: Crown.

Lasky, H. (1948). *American Democracy*. New York: Viking Press.

Lasswell, H. D. (1927). *Propaganda Technique in the World War*. New York: Knopf.

Lasswell, H. D. (1947). "The Scope of Research on Propaganda and Dictatorship." In H. L. Childs (Ed.), *Propaganda and Dictatorship: A Collection of Papers*. New York: International Universities Press, 105–124.

Lee, A. M. (1952). *How to Understand Propaganda*. New York: Rinehardt.

Lee, A. M., and Lee, E. B. (1988). "An Influential Ghost: The Institute for Propaganda Analysis." *Propaganda Review*, 3, 10–14.

Lee, I. J. (1941). *Language Habits in Human Affairs: An Introduction to General Eemantics*. New York: Harper & Brothers.

Lee, I. J. (1949). *The Language of Wisdom and Folly: Background Readings in Semantics*. New York: Harper & Brothers.

Livingston, H. (1966). "Can the Effects of General Semantics Be Measured?." *Etcetera*, 23, June, 254–258.

Martin, E. D. (1929). "Our Invisible Masters." *Forum*, 81, 142–145.

McIntyre, L. (2019). "The Mueller Hearings and the Death of Facts." *Logan (UT) Herald Journal*, July 27.

Penny, L. (2005). *Your Call Is Important to Us: The Truth about BULLSHIT*. New York: Crown.

Pitts, L. (2019, May 30). "In Letting Fake Pelosi Video stand, Facebook Shows Its True Colors." *The Salt Lake Tribune*.

Pratkanis, A., and Aronson, E. (1992). *Age of Propaganda: The Everyday Use and Abuse of Persuasion*. New York: W. H. Freeman.

Qualter, T. H. (1962). *Propaganda and Psychological Warfare*. New York: Random House.

Ralph, R. S. (1972). "Measuring Effects of General Semantics on Personality Adjustment in Elementary School." *Etcetera*, 29, March, 13–19.

Robinson, E. (2019). Try To Tune Out Trump's Propaganda Machine. *The Salt Lake Tribune*, May 28.

Rokeach, M. (1954). "The Nature and Meaning of Dogmatism." *Psychological Review*, 61, 194–206.

Rokeach, M. (1960). *The Open and Closed Mind: Investigations into the Nature of Belief Systems and Personality Systems*. New York: Basic Books.

Rokeach, M. (1964). "Images of the Consumer's Mind on and off Madison Avenue." *Etcetera*, 31, September, 264–273.

Seldes, G. (1957). *The New Mass Media: Challenge to a Free Society*. Washington, DC: American Association of University Women.

Smith, T. J. III (Ed.). (1989). *Propaganda: A Pluralistic Perspective*. New York: Praeger.

Solomon, N. (2005). *War Made Easy: How Presidents and Pundits Keep Spinning Us to Death*. Hoboken, NJ: John Wiley.

Sproule, J. M. (1989). "Social Responses to Twentieth-Century Propaganda." In T. D. Smith (Ed.), *Propaganda: A Pluralistic Perspective* (pp. 5–22). New York: Praeger.

Sproule, J. M. (1997). *Propaganda and Democracy: The American Experience of Media and Mass Persuasion*. Cambridge: Cambridge University Press.

Steele, H. C. (1972, March). "Assessing Intelligence: Some Semantic Implications." *Etcetera*, 29, 21–26. SourceWatch (2006, August 28).

Swisher, K. (2019). "Nancy Pelosi and Facebook's Dirty Tricks." *The New York Times*, May 26.

Taylor, P. M. (2003). *Munitions of the Mind: A History of Propaganda from the Ancient World to the Present Day*, 3rd ed. Manchester: Manchester University Press.

True, S. (1966). "A Study of the Relation of General Semantics and Creativity." *The Journal of Experimental Education*, 24, Spring, 34–40.

Vacchiano, R. B., Strauss, P. S., and Hochman, L. (1969). "The Open and Closed Mind: A Review of Dogmatism." *Psychological Bulletin*, 71, December, 261–273.

Weaver, E. H. (1949). "An Approach to Language Behavior from the Point of View of General Semantics." Unpublished PhD dissertation, Northwestern University.

Weiss, T. N. (1959). "The Construction and Validation of an 'is of Identity' Test." *General Semantics Bulletin*, 24–25, 69–80.

Westover, L. M. (1959). "A Study of the Semantic Orientation of Inexperienced and Experienced Public Speakers." Unpublished PhD dissertation, University of Denver.

Wreford, R. J. R. G. (1923). "Propaganda, Evil and Good." *The Nineteenth Century and After*, 92, 514–524.

Wright, C. R. (1959). *Mass Communications: A Sociological Perspective*. New York: Random House.

Zakrzewski, C. (2019). "The Technology 202: Doctored Pelosi Video Is Leading Tip In Coming Disinformation Battle." *The Washington Post*, May 29.

13

Exploring Latin American Advertising Ethics

Legislation and Self-Regulation

Salvador R. Victor

The advertising field presents a fertile terrain to analyze and to characterize principles of universal ethics. Moreover, an examination of developments in media and the persuasive communication industry in a specific area within the global context provides the opportunity to establish the theoretical foundations to bring increased understanding across the conceptual and philosophical domain of academics and the applied marketplace of practitioners. The advertising sector has gained relative importance in Spanish-speaking economies (see Etayo & Preciado Hoyos, 2009), thus requiring an extensive assessment of the adherence to ethical standards and principles by not only the advertising agencies, but also advertisers of products and services in the Spanish speaking countries in the Americas.

This chapter analyzes the development of media and advertising in Latin America. Twenty countries in the region are examined in respect to their compliance with the universal moral values of human dignity and social responsibility. This review exploring Latin American advertising ethics is organized around the similarities of government guidelines and conventional formats for moral principles, for codes of ethics (see Christians, 2019, p. 6), and regulatory mechanisms of advertising agency associations. Special attention is paid to the formal and informal regulation of children, health, tobacco and alcohol advertising in each nation-state.

CONTEXTUALIZING THE LATIN AMERICAN TERRITORY

While the Spanish and Portuguese languages are the thread that binds these nation-states of Latin-America together, it should be noted that Latin America is a diverse region with complex and varied political and economic systems and with vast differences among its lands and peoples. It is a geographic region that was in existence "long before the name emerged as a concept" (Holloway, 2011, p. 3), and a region that recently has come under scrutiny regarding "the validity of the label" (Mignolo, as cited in Holloway, 2011, p. 3) as a coherent construct. Nonetheless, the term Latin America continues to be conveniently used in academic studies, as well as in public economic, social, cultural, and political discourse.

The first use of the expression "Latin America" can be traced to the 1850s, as part of the "pan-Latinism" movement that emerged in French intellectual circles. It was also found in the

writings of Michel Chevalier who traveled in Mexico, Cuba and the United States during the late 1830s (Holloway, 2011), juxtaposing the "Anglo-Saxon" people with the "Latin" inhabitants of the Americas (Ardao, 1986, p. 38; see also Mignolo, 2005, p. 57).

When classifying the Americas, geographers typically divide the territory into two continental landmasses (North America and South America) and two sub-regions (Central America Isthmus and the Caribbean insular territory). Such classification can create confusion in certain circumstances. For instance, Mexico is in North America for its geographic coordinates and for economic activities such as the former North American Free Trade Agreement (NAFTA), but given the nation's historic tradition it is considered a Latin American country. Similarly, the Commonwealth of Puerto Rico, despite its political ties to the United States, is "historically and culturally part of Latin America" (Holloway, 2011, p. 6).

It becomes imperative to clarify that the term Latin America refers to the more than seven million square miles of the Americas stretching from South of the Rio Grande in the United States (Rio Bravo in Mexico) to Tierra del Fuego in South America, including several island nation-states in the Caribbean. The number of nations considered to be Latin American typically ranges from 20–24, depending on the criteria selected. Holloway (2011) states that the most common grouping usually does not include Suriname, Belize and French Guiana because their historical trajectories are not directly connected to occupations by Spain or Portugal; and he also asserts that Haiti's historical narrative is entangled with the colonial period of Hispaniola in the eighteenth century which, therefore makes it more of a cousin to the English/French-speaking Caribbean than a relative of Latin America (see Holloway, 2011, pp. 5–6).

Even though Arturo Ardao (1980) claims that the expression "Latin America" designates "the set of American Countries" (p. 20) whose languages are Spanish, Portuguese and French, other authors refer to the region as republics that may be compared to "twenty planets revolving around a distant star" (Buckman, 1996, p. 5) which may align "once in a thousand years" (p. 5). These independent nations of "all different sizes and moving at different speeds" (p. 5) are greatly influenced by Latin cultural traditions from the Southwestern neck of land in Europe with the "near-universal influence of the Roman Catholic Church over five hundred years" (p. 6). Ironically, while Catholicism was instrumental in the colonization project and Latin was the language of choice for the religious services, apparently there is no connection between the label "Latin America" and Church Latin (Holloway, 2011, p. 6).

Hence, for the purposes of this chapter, the Latin American context will be limited to those nations originally claimed by Spain and Portugal, whose predominant language in the twenty-first century is linked to those of the Iberian Peninsula (Spanish or Portuguese). The countries are grouped by the region they occupy in the map as follows:

- North America (Mexico)
- Central America (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama)
- Spanish-speaking Caribbean (Cuba, Dominican Republic, Puerto Rico)
- South America (Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay, Venezuela)

TRADITIONAL AND EMERGING MEDIA OUTLETS IN LATIN AMERICA

Research concerning what determines news media use in Latin America is practically absent (Salzman, 2011, p. 24). Furthermore, any exploratory investigation that seeks to develop a coherent and unified comprehension of media presence, practice and influence in the region becomes

even more challenging, when one comes to realize that "one size does not fit all." There appears to be no consensus about what media exist and where they exist. Just as the 20 nations selected are enormously different geographically, culturally and economically, so are their mass communication systems (Cole, 1996).

To examine and understand the media of Latin America, "one must discard the North American stereotype" (Buckman, 1996, p. 5) about the region being homogenous in the economic, ethnic, linguistic, and cultural realms. Traditional media in Latin American countries are of extraordinary singularity, as well as dynamic and complex. In the early years, the newspapers in the region played a vanguard role like the one they played worldwide. However, television and radio earned the most audience share. This can be explained by the literacy required to read newspapers, one that is not required for radio and TV news consumption (see Salzman, 2011, p. 36; Salzman & Salzman, 2010, p. 8). Also, individuals living in isolated communities, rely on radio more than any other traditional media form, because of delivery issues for newspapers, as well as electricity and broadcasts signal for TV. Salzman (2011) further shows that radio stations are more dispersed, and their signals penetrate rural areas more effectively than the small screen.

Thus, in the third millennium, as a case in point, anyone who travels to remote rural areas in Latin America, will observe that people have come up with creative ideas for erecting homemade antennas on their rooftops, and power radio receivers or TV sets from car batteries and, most recently, from solar panels or other alternative sources of energy. Conversely, emerging media such as internet and social sites also have been adopted by Latin American citizens and it is not rare to observe urban individuals from different social strata carrying the most sophisticated and latest models of digital mobile devices in the majority of the countries in the region, contrasting with the poverty levels these nations exhibit.

The evolution of Spanish-speaking Latin American media traced by Tunstall (2008) shows peculiar features and delineates the decline of U.S. political and media influence over the past 60 years (p. 385). Changes have occurred in the control of international news agenda setting for print media in Central and South America. A study of eight Latin American newspapers in the late 1990s shows them relying on European agencies (see Tunstall, 2008, pp. 400–401). *El Mercurio* (Chile) was the Associated Press' "best customer in 1997" (p. 400), but the news agencies from Europe accounted for 64 percent of its foreign news. The development of airwaves in the region followed a similar pattern. Radio broadcasting in Latin America began concurrently with that in the United States and Europe, with corporations such as Westinghouse and General Electric providing technological service and support. Whereas in some countries, the public sector initiated the broadcasting process, later allowing the intervention of entrepreneurs, in Argentina, Chile and Cuba the opposite occurred and private investors took the lead, followed by the government. Nonetheless, Brazil presents a unique case, beginning with privately owned non-commercial radio stations (see Buckman, 1996, pp. 27–28).

According to Veras (2009), one radio station with significant impact in the continent was the Voice of America (VOA), founded in Washington in the mid-1940s, with a very good shortwave signal and programming for all audiences in several languages. Most Latin Americans listened to their transmissions in Spanish and to the news bulletins provided by this station until the mid-1990s when the VOA evolved to new technological platforms and ceased transmitting through the airwaves (see Veras, 2009, pp. 491–493).

As of the third millennium, even though radio is the only communication device available to some inhabitants in areas of the remote South American jungle, the news provider factor is not necessarily the same. Local radio in Latin America is different from local radio in any other part of the globe albeit sharing some similarities with radio in Europe and Africa, when it comes to the point of being the only news/entertainment source available in the area. In Latin American

countries, radio is a technology that has been appropriated to serve vicinities and community systems. It is highly commercial but involves people in collective participation and gives voice to neighborhood-level discourse, interests, and demands (see Martín-Barbero, 1993).

Television broadcasting began slowly, and it was advanced by the private sector in some countries and by the government/public sector in others. Color programming came at a much slower pace and stations in the region rely heavily on dubbed imported shows, primarily from the U.S. (Buckman, 1996, p. 28). Despite significant differences between the score of nations that comprise the region of Latin America, there are similarities which they share as far as broadcast and cable television is concerned. In contrast to the state-owned and usually public service models upon which most countries of the world began their television systems, Latin American countries almost all adopted the US private-owned, commercial model right from the start. The most popular kind of programs throughout the entire region is the *telenovela* (Sinclair, 2004, p. 88; also see Tungate, 2007, p. 221; Tunstall, 2008), the characteristic Latin American prime-time series, equivalent to United States soap operas and "influenced by the Mexican radio soap, already strong by1950" (Tunstall, 2008, p. 394). As of September 2012, *Fortune* attributed the success of *Televisa*, a Mexican TV network and conglomerate, to its huge output of the country's most popular *telenovelas*. The first one was produced in 1956 and ever since has rivaled Brazil as a producer of TV soaps (see Tunstall, 2008).

Sinclair (2004) suggests that due to the expansion of cable and satellite television, the region has experienced a rapid growth in the number of channels available and of outlets for soundtracks in different languages. This, in turn, has brought new service and content providers, including U.S. corporations, now in a position to compete with Latin American networks on their own ground. However, Sinclair states that the age of *CNN en Español*, *MTV Latino*, *HBO Olé* and other services provided by the major U.S. cable channels already is moving to a further stage defined by the advent of digital direct-to-home satellite delivery (see Sinclair, 2004).

In terms of usage and consumption, certain countries in the region are at disadvantage. Television consumption is relatively low compared to other, more developed nations. Much of this is due to low average income levels in the region.

Many households in Central America "do not have electrical energy" (Salzman & Salzman, 2010, p. 9), or the means to buy a TV set. For this reason, television has historically been reserved for individuals and families in "upper classes in urban areas" (p. 9). Nevertheless, with significant changes in technology and economic improvements in the region, the situation is shifting.

"A digital divide persists in certain areas and nations in Latin America, where 56 percent of metropolitan Brazilians and Mexicans are online" (see Strohmenger, 2010). However, internet use continues to grow throughout the region, providing the unique and profound potential to disseminate information without the traditional expense and "elite-controlled avenues that exist for other forms of media" (Salzman & Salzman, 2010, p. 9; see also Salzman & Albarran, 2011). Such change has been closely observed by the leading companies in the industry. An example of this is that in recent times Google has established offices in Argentina, Brazil, Colombia, Mexico and Peru and opened a data center in Chile in 2013 to eliminate the geographic disadvantage of its users in Latin America.

In fact, the internet has gradually been adopted by inhabitants in the region. The emerging medium penetration surpassed optimistic predictions and grew over 100 percent between 1997 and 1999 (see Gomez, 2004, pp. 72–73), just a few years after its introduction in the region in the late 1980s and early 1990s. Such growth has attracted the interest of internet giants to the region. What started as Cybercafés in the late 1990s has changed to a more mobile approach, with the advent of the smart phones offered by cell phone providers, which have been promoting the 4G capabilities in some of the major, as well as in some not so large markets, in the region. But, Latin

America's addiction to cellphones did not immediately translate into adoption of mobile Internet. According to Strohmenger (2010) online Brazilians and Mexicans were just "starting to familiarize with the Web" in the first decade of the twenty-first century, fully embracing activities like checking email and searching the Web. In more recent days, social networking services adoption is almost a norm, although the preferences vary depending on age and media literacy.

Moreover, the growth of the mobile network worldwide since the late 1990s has exceeded any expectations. In the early days of the second decade of the third millennium, the British Broadcasting Corporation (BBC), based on a report by the International Telecommunications Union (ITU), wondered whether almost everyone on earth had a cellular phone. On May 9, 2013, the BBC reported that according to ITU calculations, there were 6.8 billion mobile-cellular subscriptions in the world, which was close to the world population of 7.1 billion. In Latin America, mobile telephony has shown a higher growth rate than the world average. Scholars who have studied the trend, determined that in the first quarter of 2013, the majority of the countries had a penetration above 100 subscriptions per 100 inhabitants, with outstanding rates in Chile, Uruguay and El Salvador of 155, 144 and 143, respectively (see Mariscal et al., 2014).

One other significant aspect of mobile communications in the territory is the use of social networking. The increase in social media presence in Latin America is comparable to the rapidly growing interactive media worldwide. Several studies have determined that, similarly to their counterparts in other geographic areas around the globe, Latin Americans mainly use social media platforms to maintain contact with friends and family. For instance, it was found that the most-liked activities are sharing photos and reconnecting with old friends (Albarran & Hutton as cited in Goodrich & De Mooij, 2014, p. 104). Furthermore, from Facebook (to get updates from family) to Instagram (for pictures exchange), regardless of country, young Latin Americans are very active in social media sites, which challenges traditional media to pursue better strategies to catch their attention (Arango-Forero & Roncallo-Dow, 2013, p. 653).

ADVERTISING THE "LATIN AMERICAN WAY"

The road that leads to the formation and evolution of the formal practice of advertising in Latin America was neither direct nor lined with directional signs that pointed the way for early practitioners to follow. Scholarship has been concerned more with specific aspects of the advertising industry. This explains in part why academics are more likely trying to explain economic, creative and technological factors rather than writing about advertising's genesis and development. In his book, *Ad Land: A Global History of Advertising*, Tungate (2007) proclaims that as well as having strong historic, cultural and mercantile links, the Spanish and the South Americans produce a similar kind of advertising. He also theorizes that there was a Hispanic advertising culture, with links as far-flung as Argentina, Cuba and Miami.

Buckman (1996) notices that technological demands on Latin American broadcast media, mainly TV, are subject to the same pressures as the print media. In fact, print and broadcast media must compete against each other as well (Buckman, 1996, p. 28). And this represents an interesting perspective for advertising revenue. However, the situation in Mexico presents a distinctive issue and approach, where *Televisa* is nearly a monopoly in terms of absorbing the advertising budgets. The bulk of radio and TV advertising in Mexican territory goes to radio and TV. This could be due to dishonest activities employed by the newspapers in the form of inflated circulation data and "paid announcements presented as editorial material" (see Tunstall, 2008, p. 393). But it is significant to acknowledge that this is a widely known and accepted corrupt practice in journalism, also common to other countries in the region including the Dominican Republic (see

Wiarda & Kryzanek, 1992), where "journalists are not always well paid and sometimes accept additional remuneration from government offices, political parties, or firms" (Hartlyn, 2001, p. 199). Those practices have made ad agencies in the region unwilling to use the newspapers as vehicles for persuasive communication.

Latin American advertising began to gain international visibility and increased impact after the Brazilians "reaped an impressive pile of awards" at the Cannes festival in the 1980s (Tungate, 2007, p. 220). Over the years other countries have had a significant presence in this prestigious contest, building respect for creativity and production in the region.

Several academics have noticed that one of the most prevalent programing forms in Latin American television is the *telenovela*, mainly produced in Brazil, Mexico, Venezuela, and more recently in Colombia. It is consumed avidly as a primetime show in most of the countries; in some more than others. As a case in point, Tungate (2007) proposes that Brazilians are "gluttonous TV viewers" (p. 222) and contrasts the power of television as an advertising medium versus print, pointing out that in terms of the cost of reaching the audience, a *telenovela* could pull in 90 percent of all households (p. 222). Furthermore, he indicates that for the price of a double-page spread in a magazine aimed at an upper scale market, an ad agency could place a 30-second spot during the television news broadcast and reach 45 million people (p. 222).

The internet's growth as an advertising option has evolved strongly, consistent with how this approach has unfolded in other countries across the globe, including the United States, where pop-up, tweets and digital media present unprecedented challenges, not only concerning consumers reached, but also how they impact individual purchasing behavior. However, despite the "slightly above the world average" (Fragoso and Maldonado, 2010, p. 201) general penetration rate of 22.6 percent, this emerging form of mass media must still establish itself as a predominant advertising medium in Latin American nation-states.

An advertising industry that has mastered the art and science of using traditional media to deliver messages to consumers finds itself faced with the challenges of connecting with their stakeholders within a "new media" environment in which even local advertisers are competing at a global scale (see Victor, 2012, pp. 200–201). According to Strohmenger (2010) marketers seeking an effective media allocation mix for the region must understand differences in behavior and level of engagement of their customers.

Latin American agencies and advertisers at first were uncertain about adopting the internet and social media as persuasive communication spaces due, in part, to the lack of reliable data to measure the cost effectiveness of the investment and the characteristics of the target audiences. But, as Bughin and Spittaels (2012) sustain, the use of online media is more affordable than the traditional media for some product categories and could reach more people than a typical advertisement (p. 3). Consequently, even though "digital advertising in the region remains lower than average around the globe" (see Cantor-Navas, 2019), recent studies suggest a changing trend and a slow, smooth, and steady transition to the internet-based advertising environment, that allows brands and consumers to engage across multiple channels.

INDUSTRY DEVELOPMENTS AND NEED FOR REGULATION

It is essential to understand the character of advertising agencies in the region, as well as the way the industry has changed since its beginnings several decades ago. But there is limited literature available to uncover the trends followed by the industry and to help clarify the extent to which standardization exists across the professional practices in this developing region. A brief sketch of the expansion of the agencies, and more specifically the developments in the

industry after the appearance of multinational agencies in Latin America, helps shed light on the current state of the business.

Historical developments are closely linked to the spreading out of United States established industries in the early 1900s. According to Torres-Baumgarten (2011), the internationalization process can be traced back to 1929 when the New York based agency J. Walter Thompson (JWT) opened its first office in Brazil and during that year opened subsidiaries in Argentina, Chile and Uruguay (see Torres-Baumgarten, 2011). This strategic move was based on a "pivotal agreement" (p. 234) between JWT and General Motors, where the agency committed itself to follow the international expansion of the car manufacturer. McCann-Erickson also set foot in Latin America early on and became another alternative for North American firms that were considering expansion overseas prior to World War II. The development process continued and by the l960s and 1970s major U.S. agencies opened more than 250 branch offices (see Fejes, 1980), but in the mid-1970s consolidation changed the face of the industry worldwide and Latin America was no exception. Nonetheless, following the mergers and acquisitions, the trade continued its growth into the twenty-first century, circumnavigating the ups and downs of the 1980s and 1990s (see Torres-Baumgarten, 2011, pp. 237–238).

In monetary terms, the advertising business in this progressive zone of the Americas is not much different from that of Europe, Asia or other developed regions of the world. In fact, in many Latin American countries, local advertising agencies can compete with large multinational conglomerates and manage a substantial advertising budget. However, despite the lack of reliable data to document advertising expenditures in the 20 countries, there is no dispute over the fact that the billings of the global advertisers give them substantial advantage in relation to the locally owned and operated firms.

Like any other region of the globe, advertising agencies in the Latin American countries analyzed have moved toward integration, either as associations or federations, with the intention of providing its members a unified way to practice advertising professionally. One of the main roles for these grouping entities is developing ethical standards for the industry and establishing self-regulatory codes for their members.

ADVERTISING REGULATORY PRACTICES IN LATIN AMERICA

This section is an effort to understand the attempts to regulate advertising in Latin American geographies. It encompasses the approaches taken by government officials, as well as the private sector, both individually and collectively. This information sets the stage for a more detailed discussion of the institutions and instruments used by the state to control advertising in the 20 countries. In addition, this description helps determine the amount of self-regulatory efforts that are followed within the nation-states.

Argentina

This developing nation has had times of political uncertainty with dictatorships ruling the country. In such periods, laws were made by decree. Nonetheless, after the return of democracy in 1983 independent branches of government were reintroduced. The legislation is now in the hands of the National Congress, which is responsible for passing federal laws. However, given the political structure, the laws need to be approved or rejected by the president.

The groundwork for commercial persuasive communication practices in Argentina is laid out in the Constitution of 1994 (see Gronemeyer, 2014a, p. 44). This set of fundamental principles

holds the government responsible for consumer protection and specifically addresses issues of misleading or abusive advertising. Also, there are several laws regulating advertising practices and adherence to moral standards and decency. One of the most recent ones is Law 26.522, which regulates the audiovisual and communications services. The bill was introduced in the House of Deputies and approved after undergoing more than 100 modifications (www.argentina.gob.ar). This legislation establishes the guidelines governing the operation of broadcast media and advertising agencies. It was enacted in October 2009, to replace Law 22.285, which had been voted by the dictatorship in 1980, to regulate broadcasting. Article No. 81 of the new legislation refers to specific regulation regarding broadcast advertising and emphasizes aspects such as language and child protection provisions. Also, it postulates that advertising aimed at girls and boys should not encourage the purchase of products exploiting their inexperience and credulity. Article No. 82 sets policies regarding the amount of time allowed for advertising. It limits advertising broadcast time to 14 minutes per broadcast hour for audio and 12 minutes for open television.

The State has also regulated the advertising of tobacco products. Article No. 2 of Law 23.344 limits in the broadcast media the advertising of cigars, cigarettes and other products used for smoking. The law is concerned with the protection of minors. Restrictions include the following limitations: commercials cannot be aired between the times of 8:00 am and 10:00 pm., except if only the brand is identified; advertisements shall not be broadcast during children's programming or in movies where minors are in attendance (see Gronemeyer, 2014a, p. 45).

Another interesting aspect concerning government regulation can be found in Article No.128 of the Penal Code, which sanctions anyone who publishes, creates, reproduces, or distributes obscene material. Although it does not refer specifically to advertising practices, the article includes legal implications to agencies engaged in producing obscene advertising.

In terms of self-regulation, Argentina relies on the *Asociación Argentina de Agencias de Publicidad* (AAAP: Argentinean Association of Advertising Agencies), established in 1933. Members of AAAP assume the responsibility to compete ethically for advertising accounts and to observe as their responsibility the promotion of the dignity of advertising as a profession. Agencies that make up AAAP operate based on the principles of ethics, truth and appropriateness to strengthen confidence in the products and services they promote.

Argentineans also have another private, nonprofit organization that promotes advertising self-regulation. In November 2001, the *Consejo de Autorregulación Publicitaria* (CONARP: Advertising Self-Regulation Council) was formed with the responsibility to promote self-regulatory practices among advertisers, agencies, and media. The council's mission is to ensure ethics and responsible exercise of freedom of commercial speech, by promoting social responsibility in advertising practices.

The Argentinean Council's Code of Advertising has incorporated the most relevant experiences, rules and procedures of countries in Europe (see Gronemeyer, 2014a, p. 47) The code emphasizes respect for freedom and human dignity and "requires advertisers to adhere to the fundamental principles of honesty, fairness, integrity and good taste in all messages" (p. 47). The manual encourages AAAP to refrain from statements that directly or indirectly attack religious beliefs or to create messages that threaten the country's sovereignty. Furthermore, the code considers advertising issues through new media and mobile telephony (see Gronemeyer, 2014a, pp. 47–48). In addition, the ethical standards established in the Code of Ethics and in the AAAP Declaration of Principles stress that advertising agencies must refrain from using misleading ads, creating messages with morally offensive representations or distorting the truth.

The 2012 CONARP's declaration of principles and self-regulation code review became a substantial supplement to the AAAP Code of Ethics. It presents a set of 45 articles that address issues related to truth, dignity, advertising to children, comparative and new media advertising.

Bolivia

When compared with other nations in the region, Bolivia is relatively smaller and less developed. Nonetheless, its advertising industry includes global agencies like JWT, Lintas and DDB, and a substantial group of locally owned advertising companies whose history and development are hard to trace.

The current situation for the regulation of Bolivian advertising is closely tied to political changes and economic growth, but there are no norms specific to advertising. The South American nation-state has a handful of laws encompassing advertising regulation. One of the most manifest ones was the 1995 Law of Telecommunication. However, in the early years of the twenty-first century, legislators passed several Bills containing advertising related issues. In 2006 the Anti-tobacco Law incorporated regulation for advertising and promotion of tobacco products to protect the population's health. Since the Law was approved by Congress another related ruling was in the making: The Anti-alcohol Bill. The preliminary draft for the Law to Control Selling and Consumption of Alcoholic Beverages established control and regulation of advertising in the mass media. The normative restrictions laid down in Article No. 8 of the Law states that alcohol advertising should not include minors, cartoon characters and should not suggest that alcohol consumption promotes personal, social, sports or sexual success. Also, the Bill dictates that advertisements should be disseminated at appropriate times. One other regulation approved in 2012 was the Integral Law against Trafficking of Human Beings that establishes the prohibition of any mass mediated communication promoting sexual services.

The industry's self-regulatory practices have been hard to locate. Advertising agencies are still a rare commodity to some advertisers and thus the rules are not quite clear. The trade association, *Cámara Paceña de Empresas de Publicidad* (CAPEP: La Paz City Chamber of Advertising Businesses) governs the agencies in the country and is in charge of supervising the principles of self-regulation.

Brazil

This country has distinct characteristics in terms of landmass and language: it is the largest republic in South America and the only Portuguese-speaking republic in the region. Also, this newly developed nation, part of the BRIC countries (Brazil, Russia, India, and China), has a solid advertising industry that was born in the big cities. Initially, advertisers used newspapers for the placement of their persuasive messages and later expanded their efforts to magazines, radio, television and Internet. The country has grown to be recognized for producing some of the world's most creative advertising, and for having a fully functioning self-regulation system (O'Barr, as cited in Gossett, 2011, p. 121). This bourgeoning business also has the means of controlling the mass mediated messaging via legislation.

The first attempts to regulate Brazilian advertising were "enacted in the 1960s at a time where Brazil was under a dictatorship" (Gossett, 2011, p. 121) that harshly censured advertising and encouraged the industry to create self-regulation. The government regulatory system dates to February 1966, with the Decree 57,690 which established the scope for advertising and advertising agencies, as well as the restrictions of the content of advertising or propaganda. Also, the Decree referred to Law No. 4,680 that had established a Code of Professional Ethics of the Propaganda in 1965. In the 1990s, the legislators also set rules on a Federal basis, through Law No. 8,078/90 (Consumer Protection), Law No. 9,279/96 (Industrial Property) and Law No. 9,610/98 (Copyright).

The Code for the Protection and Defense of the Consumer, in Article No. 6, touches base with advertising regulation by saying one of the many basic rights of the consumer is protection against deceitful and abusive advertising, coercive or unfair commercial methods, as well as abusive practices and conditions that may be imposed when supplying products and services. In Article No. 36 the Code establishes that advertising must be presented in such a way that the consumer can identify it as such easily and immediately. It also states that any supplier of advertising goods or services shall inform, to those legitimately interested, the scientific and technical facts to support the message. Article No. 37 of the Code offers detailed explanation about the prohibition of all deceptive or abusive advertising and concludes that advertising is considered deceptive by omission when it fails to inform about some essential fact concerning the product or service.

In the twenty-first century Brazilians continued to pass legislation to regulate advertising. One noticeable political action took place in September 2006, when São Paulo's mayor Gilberto Kassab proposed a change in culture with the "*Lei Cidade Limpa*" (Clean City Law) to ban all outdoor advertising. In addition to billboards, the prohibition included transit advertising, posters, flyers, pamphlets and painted walls in front of stores. Before its enactment the law triggered adverse reactions from city businesses and outdoor advertising companies. Despite the apprehensions and controversy, the law passed and 15,000 billboards cluttering the city were taken down. According to Kohlstedt (2016), an additional 300,000 business signs were also subject to a fine if they were not removed promptly. This legislation, aimed at eliminating the visual pollution of this large metropolis, went to effect on January 1, 2007 and companies were given 90 days to comply with the new directive. After this initiative, other cities have shown interest in implementing similar regulations and Rio de Janeiro prohibited billboards in the city's center in order to preserve the ancient location.

A few additional government regulations were passed afterwards. Under Resolution No. 163, issued in March 2014, it is considered abusive to engage in the practice of targeting children in advertising and marketing communications with the intention of persuading them to consume any good or service using a wide range of means from childish language to cartoons or similar products. This provision applies to persuasive messages issued at places, events, public spaces, television, websites and even daycare centers or educational institutions (including school uniforms and textbooks). However, this resolution does not apply to public service campaigns related to better child development.

In 2017 the *Agência Nacional do Cinema* (ANCINE: National Cinema Agency) acted to modify sections of the Normative 95/2011 and introduced the Normative Instruction 134/2017 to regulate Brazilian advertisements broadcast on the internet or distributed via social media platforms. One of the requirements of these regulatory stipulations is that foreign audiovisual ads targeting Brazilian consumers may only be aired if they are properly dubbed or subtitled in Portuguese, which is the official language of the nation. Similar to its antecessor, the new regulation states that the adaptation must be done by companies registered with ANCINE and supervised by Brazilian advertisers.

Even though those Federal Laws applicable to advertising exist in Brazil, the self- regulation Code is observed by most advertisers and advertising agencies in the country. It was the result of consensus among advertising agencies, advertisers and the media in 1978, when the "Brazilian Advertising Self-Regulation Code" was enacted. The Code resulted from a comprehensive study conducted by a group of broadcasters who researched ethics in advertising in Brazil and abroad with the purpose of finding alternatives to both the lack of regulation and the total control of the Government regulatory function (Rocha et al., 2003). Among the main principles in the Code are social responsibility, principles of fair competition, conformity to education and cultural development.

Other important standards set by the Code that need to be considered in national advertising are related to decency, honesty, children and teenagers, comparative advertising, truthful presentation and respect for human dignity. Furthermore, the Code points out special advertisement categories that are subject to specific rules. The ethical standards set forth in the Code are to be observed by all the entities involved in the advertising industry, from practitioners to the media. The reason for this compliance is that the mass media have accepted them as ethical guidelines for the advertising industry, although they are not legally binding (Rocha et al., 2003).

Compliance with ethical values is strictly enforced by the *Conselho Nacional de Autorregulamentaçao Publicitária* (CONAR: National Council for Advertising Self-Regulation), a Non-Profit Organization which deals with "advertising content" (Faustino, 2014, p. 53) and that has "defended freedom of expression and encouraged the self-regulation of advertising" (p. 55) in the country for more than 30 years. But there are other institutions committed to the success of the industry's ethical behavior. Among those, the *Associaçào* Brasileira de Agências de Publicidade (ABAP: Brazilian Association of Advertising Agencies) plays a significant role in helping its associates to comply with the principles and avoid costly discrepancies.

Rocha et al. (2003) consider that self-regulation has been extremely successful in Brazil and has helped companies save millions of dollars by settling disputes without having to use the court system (p. 12), which can be very slow in some jurisdictions. Likewise, Gossett (2011) asserts that the country's self-regulation system has proven to be very advantageous to generally all parties affected and that although legislation has not been completely replaced, government laws yield to the self-regulation practices.

Chile

Like other nations in the region, Chile was ruled by a military regime from 1973 to 1989. But today this South American republic exhibits a central democratic government with the neoliberal free market economic model that began during the regime and "has been maintained since the return to democracy in 1990" (Gronemeyer, 2014b, p. 63). Additionally, the state-owned *Televisión Nacional de Chile* (TVN: Chilean National Television) network does not depend on government financing, but rather on advertising revenues (p. 63).

The Chilean republic's advertising regulatory body operates similarly to legislation in other nations in the region. One shared government regulation in most countries in Latin America is that of the advertising of alcohol and tobacco products. The regulations also respond to "the demands placed upon the country by international treaties that Chile has signed" (Gronemeyer, 2014b, p. 64), such as that with the World Health Organization (WHO). In this respect, there are several restrictions on Chilean television for products considered sensitive. Additionally, regarding schedule, alcoholic beverage ads can only be aired between10:00 p.m. and 6:00 a.m., although a motion was introduced in Congress to restrict alcohol related products advertising to six hours, starting at midnight. The Bill regarding alcohol, and aimed at regulating advertisements that encourage the consumption of alcoholic beverages, as well as to reverse underage drinking, was modified in 2015. Among the corrections passed by the Senate were to include in TV ads the warning: "Excessive drinking damages your health and can harm others" for a lapse of not less than three seconds while the commercial is displayed. In the case of radio advertising, the warning must be reproduced following the advertisement for the same time indicated.

Also, in March 2013, Law No. 19.419 was modified by Law No. 20.660. The new Tobacco Law, in Article No. 3, describes the changes to tobacco advertising regulation. It bans the consumption of products made of tobacco in mass media. The prohibition includes live broadcast, television or radio, the appearance of people smoking or indicating favorable characteristics to

the consumption of tobacco in children television shows. Law No. 20.660 also polices advertising on Websites with Chilean URLs.

Beginning in 2016, Chile also joined the growing trend in Latin American, Asian and European countries to establish restrictions on the advertising of certain products, especially foods and drinks for children. In July 2012, the Chilean Senate approved the Law of Food Labelling and Advertising. The main objective of Law No. 20.606 on the Nutritional Composition of Food and its Advertising is to demand special labeling for Genetically Modified Foods (GMO). The legislators developed this law to improve the labeling and advertising of foods produced and marketed in Chile to help consumers better understand food information and to protect children from overexposure of advertising. The regulatory norms to guide implementation of the law staggered over 3 years and were released in 2016 after "intense lobbying on both sides of the issue by government, civil society and industry" (Pérez Escamilla et al., 2017, p. 30).

Self-control is observed by the industry and has improved by adding more actors to the scene. Gronemeyer (2014b) indicates that Western trends, and membership in the Latin American network for advertising self-regulation, have forced Chilean advertisers to agree on self-regulatory principles for the business (see Gronemeyer, 2014b, p. 66). The *Asociación Chilena de Agencias de Publicidad* (ACHAP: Chilean Association of Advertising Agencies) has been the institution responsible for the free flow of professional persuasive communications in the nation. It guaranteed that members subscribed to the limitations imposed by ethics, public order and decency. However, in recent years, the *Consejo de Autorregulación y Etica Publicitaria* (CONAR: Council for Self-regulation of Ethics in Advertising) was formed. In addition to ACHAP the council brings together other important representatives of advertising practices in the country: the *Asociación Nacional de Avisadores* (ANDA: National Advertisers Association), the *Asociación Nacional de Televisión* (ANATEL: National Association of Television), the *Asociación de Radiodifusores de Chile* (ARCHI: Association of Broadcasters of Chile), and the Interactive Advertising Bureau.

CONAR seeks to "make advertising a reliable and credible tool" (Gronemeyer, 2014b, p. 67). Therefore, the council has developed the Chilean Code of Advertising Ethics and is now the institution that receives reports on alleged ethical breaches of advertising campaigns and decides on them. The Code considers areas such as the legal system, morality and respect for human dignity. It includes 32 articles with regulations about truth in advertising, children and youth advertising, comparative advertisements, and ads for tobacco, alcohol and pharmaceutical products. Regarding children, the norms are very specific. The Code emphasizes that messages should promote appropriate behavior for the age range avoiding any psychological distortion. The norms also state that alcohol and tobacco messages must be aimed exclusively at adults. Even though CONAR does not have the force of the law, the council's decisions are respected and accepted (see Gronemeyer, 2014b, pp. 67–68).

Colombia

This South American democratic republic pioneered constitutional government in the region. But, in terms of the State regulating advertising practice, the story is not as promising. There is "no specific advertising law" (Medina, 2014b, p. 73) in the country. The bodies of laws are spread out into a diverse range of government agencies. Message content is controlled by many rules with multiple independent authorities to ensure compliance with the rulings. It is therefore confusing to determine which standards are directly linked to advertising and who is responsible to enforce legislation.

Like most Latin American countries, the Ministry of Health is responsible for the supervision of advertising practice in many areas. One such area concerns persuasive communication for

medicine. In this respect, advertisements for prescription drugs in newspapers, radio and other mass communication media are prohibited. Medications are only to be advertised or promoted in scientific publications for the medical and dental professions.

As recently as 2011, the Colombian government approved Law 1480. This law aims to defend consumer rights and procures respect for their dignity, promoting consumer education and special protection for children and adolescents. The new end-user statute will control misleading advertising and false benefits promised by some products. Article No. 30 of the law prohibits deceptive ads and in case these types of persuasive communication messages affect consumers, the main culprit is considered to be the advertiser.

The self-regulating environment of the country incorporates the combined effort of the *Unión Colombiana de Empresas Publicitarias* (UCEP: Colombian Union of Advertising Companies) and the *Asociación Nacional de Anunciantes* (ANDA: National Advertisers Association). Representatives of both institutions were the founders in 1998 of the *Consejo de Autorregulación Publicitaria* (CONARP: Self-Regulation Council). The code of advertising's self-regulation put forth by CONARP is evidence that the advertising industry is interested in developing healthy competition and in producing transparent messages to the public. CONARP also has tried to clarify the governmental regulations of the advertising activity in Colombia and created a compendium of the norms related to advertising issues, in order to facilitate access and understanding of each of the topics by the different players of the industry. The document classified the norms in three specific areas: General Rules, Special Categories, and Media.

In 2013, Colombia formally became a member of the European Advertising Standards Alliance (EASA). The private sector is interested in keeping consistency with global definitions and to ensure that their self-regulatory body can deal with new forms of advertising. The Colombian self-regulatory mechanism is in the process of revision by CONARP with the intention of presenting an updated Code considering new needs and trends in the industry. According to Medina (2014b), the industry members desire to "create a self-regulatory body similar to Spain's" (p. 76).

Costa Rica

Different from other countries in the region, this small Central American nation has seen little civil conflicts over the years and has no regular military forces (CIA, 2013). Once dubbed the "Switzerland of Central America" for its political stability, almost a decade ago Costa Rica's image was affected by allegations of corruption in the government; a couple of former presidents were incarcerated. But in the advertising realm, state regulations are worth mentioning as almost impeccable.

Among the substantial body of laws in the nation, a few deserve attention. Law No. 6220 sets the general overview about Advertising Agency and Media ownership and rules on the closing of any of these types of businesses after a third repeat offense. Also, of great importance, Law No. 5811 establishes censorship when advertisers utilize pictures or illustrations that can be degrading to the image of women. Accordingly, the Ministry of the Interior must approve commercial advertisements that portray women.

A noteworthy rule is Article No. 37 in Law No. 7472 (for the Promotion of Competition and Effective Defense of the Consumer), which states that advertising cannot mislead or deceive the consumer. The regulation also sets the parameters for comparative advertising, pointing out that the comparison is not admissible when it is limited to the proclamation, general and indiscriminate, of a product's superiority.

One more significant legislative piece concerns advertising related to alcohol consumption. In June of 2012, the power to regulate this aspect was given to the *Instituto sobre Alcoholismo y*

Farmacodependencia (IAFA: Institute on Alcoholism and Drug Dependency). But a new ruling that year gave control back to the Ministry of Health with Law No 9047 that has delegated to this government unit the regulation of the commercial advertising of alcoholic beverages.

The Board Control of Cigarette Advertising (a subset of the Ministry of Health) has the responsibility to enforce regulations and authorize advertisements for tobacco related products. Decree No. 20196 established a large set of restrictions on cigarette and tobacco advertising, which include the prohibition of using minors in promoting these products, banning cigarette ads from print and broadcast media and impeding such ads in the movies before 5:00 p.m.

Decree No. 28466 regulates the advertising of medicine. The Commission of Medicine, a sub-division of the Ministry of Health, was given authority to approve or reject the content in ads for medication. However, the Decree did not include advertising of over-the-counter (OTC) products.

The trade associations involved in the self-regulatory process of advertising in Costa Rica are the *Asociación de Agencias de Publicidad de Costa Rica* (ASCAP: Association of Advertising Agencies of Costa Rica), a chapter of the International Advertising Association (IAA), and the Instituto Nacional de Publicidad (INPUB: National Advertising Institute), which brings together the country's main advertisers, media, advertising agencies and suppliers. Recently the INPUB evolved into the *Cámara de la Comunicación Comercial* (CAMCO: Chamber for Commercial Communication) adding media brokers as members of the trade association.

In 2010 the INPUB approved a Code written by GALA (Global Advertising Lawyers Alliance) to regulate all commercial communications in Costa Rica. The main purpose of this self-regulating document is to create an effective system to monitor the entire advertising industry, complementing the government regulatory system and eliminating ambiguities.

Also, it is worth noting that the tobacco companies have developed their own self-regulation Code to limit the promotion and advertising of cigarettes. It establishes restrictions regarding the scheduling of commercials, aiming ads at minors, outdoor advertising of cigarettes, and the truthfulness of messages.

Cuba

Economic and political conditions in Cuba, as well as openness in technology acquisition, have experienced some change in the island since the rise of Raul Castro to power as the president of this Caribbean nation-state. But there are no significant fluctuations in the government's control of the media (Artero, 2009, p. 193) and its use of "party-controlled newspaper" (Buckman, 1996, p. 5) and "government-operated propagandistic broadcast stations" (p. 5) as ideological vehicles for the Marxist-Leninist regime. Private ownership of electronic media is prohibited (Central Intelligence Agency (CIA), 2013) and only 16 percent of Cubans have access to internet. Among those who do, less than half use social media platforms (Ramos, 2016). The Cuban government also controls all aspects of advertising, limiting ads to public service announcements. However, as a result of Cuba's opening to foreign investment, there has been a tendency to display ads in print media. Nonetheless, commercial advertising is restricted to publications aimed at foreign investors and tourists.

Despite the absence of an independent advertising industry, the former *Asociación Cubana de Publicitarios y Propagandistas* (ACPP: Cuban Association or Publicists and Propagandists), founded in 1991, is actively engaged in advertising and public relations practices in the country. In 2013, the organization changed its name to *Asociación Cubana de Comunicadores Sociales* (ACCS: Cuban Association of Social Communicators). Members of the institution are subject to a code of conduct and ethical norms, but there are no codes of ethics to regulate advertising practices.

Dominican Republic

As of the twenty-first century, the advertising industry in the Dominican Republic is still effervescent even in adverse worldwide economic conditions. Even though the internet made its way into the nation-state in the mid-nineties, it took almost a decade for skeptical advertisers to jump on the bandwagon. By the end of 2010, the country had gradually embraced the global trends in emergent media and all the major players in the advertising arena had established offices and partnerships in the nation. Indeed, more than 20 global agencies have offices in Santo Domingo, including such firms as Leo Burnett, J. Walter Thompson, Y&R, BBDO, Saatchi & Saatchi, Ogilvy and McCann-Ericson (Victor, 2012, pp. 42–43).

Concurrently, mobile telephony and social media have begun to catch on among the Dominican people of every economic level, and the ad industry started using this medium for buzz marketing and digital advertising. However, when budgets are allocated traditional media still receive a significantly larger amount. In the book, *Análisis del Desarrollo Mediático en República Dominicana,* Grullón Morillo (2017) indicates that advertising investment on television was 70 percent, and digital media received less than 5 percent in 2015. He further discloses that the State is among the top ten advertisers in the country, investing around three hundred million dollars annually to promote its actions and accomplishments, and that the criterion for placing government ads in the local media is neither regulated, nor transparent (Grullón Morillo, 2017); he posits that the government's advertising strategy is perceived as "opaque and discriminatory" (p. 119).

Much of the legal framework for advertising in this island nation was first established during the autocratic regime that ruled the country from 1930 to 1961 and experience changes during the 1970s (see Lugo Lovatón, 2006) and onwards. In 1971, the government created Regulation No. 824 (with ten chapters and 135 articles) for the operation of the *Comisión Nacional de Espectáculos Públicos y Radiofonía* (CNEPR: National Commission for Public Entertainment and Radio). It was also used as a State's mechanism to exercise control over the creation, production and dissemination of advertisements. Chapter IV of the regulatory document provides guidelines related to advertising and propaganda in the nation. Of interest in Regulation No. 824 is Article No. 70, which stipulates that advertising messages, especially those created for prescription or over-the-counter drugs, "should conform strictly to the norms imposed by the culture, good manners, and the proper use of the language, in order to prevent erroneous interpretations" (Lugo Lovatón, 2006, p. 217). Despite being created as an instrument to protect the Power of the State, with its scope and content intended for an era without many of the technological innovations and the emerging digital media of the twenty-first century, this obsolete directive is still in use.

Yet, as the country moved to a more stable democracy, an entire new body of legislation to oversee Dominican advertising has been developed, with provisions coming from various State agencies, including the *Ministerio de Salud Pública y Asistencia Social* (MISPAS: Ministry of Public Health and Social Welfare) and the *Instituto Nacional de Protección de los Derechos del Consumidor* (PROCONSUMIDOR: National Institute for Protection of Consumer Rights).

The regulation on drug advertising, including alcohol and cigarettes, is under the authority of the Ministry of Public Health and the General Health Law from 2001. In June 2012 some improvements were made to Law No. 42–01 when MISPAS put into effect Resolution No. 0000020 containing the Standard to regulate the advertising of medicines, cosmetics, personal hygiene, home and sanitary products. Three years later, after being discussed and agreed upon by the various actors involved in the process, it was replaced by Resolution No. 000033. This

Technical Regulation, to be applied by all units of the National Health System, encompasses a comprehensive list of specifications concerning the promotion of pharmaceutical products to doctors and the advertising of said drugs to the general public.

Within the wide range of legislation in the Dominican Republic, an important document for advertisers and patrons is the General Law No. 358–05 on the Protection of Consumer and User's Rights. The legislative text establishes a series of statements and regulatory provisions for commercial advertising but does not establish limits or obligations to the media. The intention of the legislation is to facilitate truth in advertising and to eliminate messages that produce doubt, error, deception or confusion about price and features of the product or service. Besides, Grullón Morillo (2017) proposes that the inclusion of the regulation of advertising in Law 358–05 is a "step forward in Dominican legislation and brings up an old concern of different national sectors" (Grullón Morillo, 2017, p. 121). However, "this regulation has not translated into concrete actions that improve the quality of advertising, avoiding deception, discrimination and the transmission of prejudices and anti-values" (p. 121).

One more body of regulation is the Law 14–94, later modified by the Law 136–03 or Code for the Protection of Fundamental Rights of Children and Adolescents, which place restrictions on advertising directed to minors and youth. Article No. 21 of the Code states that when alcoholic beverages, tobacco, weapons and ammunition are exposed to the public, the ethical and social values of human beings must be respected. The ruling also prohibits the sale and advertising of this type of merchandise in public and private places intended for minors.

It is also worth paying attention to another legislative action that involves advertising: The Electoral Law 33–18 for the regulation of Political Parties, Groups and Movements. Among other things, it specifies the details about political propaganda and advertising. Article No. 44 of the law states that during the period of the pre-campaign or actual campaign, it is forbidden to paint streets, sidewalks, electric poles, trees, as well as any public property, with the candidate's colors, emblems or symbols or the party, group or political movement that the person represents. It prohibits the use of outdoor advertising, unless the out-of-home advertisement is placed on political parties' properties. The legislation also restricts any political propaganda that may be perceived, disrespectful or contains negative messages regarding religion, race or sexual preference. In addition to regulating advertising messages in traditional audiovisual outlets, Law 33–18 also covers digital media and prohibits the dissemination of negative messages through social networks that tarnish the image of the candidates.

Although the Central Electoral Board is the body responsible for ensuring compliance with the legislation and is responsible for enforcing, through regulation, everything concerning propaganda and advertising of candidates and parties during the political pre-campaign, violations of the provision for digital advertising are punished in accordance with articles 21 and 22 of Law No.53–07, on Crimes and Offenses of High Technology.

But what is the purpose of having so much legislation regulating advertising if there is not a mechanism to prevent the deceptive daily practices of advertisers and media, or the indiscriminate purchase of spaces for government advertising. According to Grullón Morillo (2017), the honest habit of paying for the placement of advertisements in print and broadcast (clearly different from editorial or entertainment content) is changing "rapidly and radically since there has been a trend towards the commercialization of information in the Dominican Republic" (p. 119). The activity that started with the newspapers (see Hartlyn, 2001), now has expanded to the audiovisual arena. This modern unethical practice consists of charging for interviews on radio and television stations. And to top it off, in the Public Sector, there are journalists, or "communicators", at the service of government political interests who have been identified as "*bocinas del gobierno*" (government megaphones). These individuals benefit from abundant advertising

budgets, since the State does not have a procedural code to control its advertising investment in the different media. Likewise, institutions or companies that do not advertise are adversely affected, because they are at a disadvantage in the media when they need them to report something of public interest (see Grullón Morillo, 2017, p. 119).

Nonetheless, there is a latent need to protect consumers and users with practices reflecting ethical principles. Legislators have made clear through Law 358–05, Article No.88, the need to self-regulate the content of advertising. The law itself calls for regulatory actions initiated by advertisers, the media, advertising agencies and other relevant companies or institutions (Grullón Morillo, 2017, p. 121; Lugo Lovatón, 2006, p. 247; see also Cruz Taveras, 2016). In response to this autoregulation invitation there have been attempts in the island nation-state to create a self-control body such as CONAR in Brazil. That has been the intention of the *Liga Dominicana de Agencias Publicitarias* (LIDAP: Dominican League of Advertising Agencies), now called the *Asociación Dominicana de Empresas de Comunicación Comercial* (ADECC: Dominican Association of Commercial Communication Companies), but so far, this self-regulatory code or council remains stagnant.

Despite all the efforts and attempts, the Dominican Republic still does not have an existing law responsible for the regulation of its advertising industry. Cruz Taveras (2016) emphasizes that the country needs "adequate legislation or a public or private entity capable of preventing and resolving conflicts that arise when companies and institutions advertise their products and services" (p. 181). Similarly, Grullón Morillo (2017) suggests that Government advertising must be "regulated to guarantee fairness in its placement" and to contribute to the welfare that the State must promote through its institutions (p. 122). The proposal is consistent with efforts by the Private Sector to establish the Law of Advertising in the Dominican Republic, comparable to the one that exists in Spain. The legislative piece initially was put together as a self-regulation code in 2008 by LIDAP, in conjunction with the *Asociación Dominicana de Anunciantes* (ADAN: Dominican Association of Advertisers) and the Asociación de Radiodifusoras (ADORA: Dominican Association of Broadcasters) but, as Sergio Forcadell mentioned in a telephone conversation (March 1, 2019), the Bill has not received significant attention by legislators and has been shelved in Congress since it was introduced.

However, not everything is lost in terms of self-control in Dominican advertising. In 2014 LIDAP announced the establishment of a Code of Ethics for the participation in biddings with future clients or advertisers in order to provide transparency to the process and to ensure fairness. This initiative allows the selection process of an advertising agency to be healthy, guaranteeing results according to the needs of the advertiser. This Code includes equity, confidentiality, intellectual property, commitment and recognition as basic points. It also regulates the respect (by the advertiser) of the intellectual property of the ideas presented by the agencies that are not finally chosen.

Other groups have also started to implement self-control in the promotion of their products. Independently, and almost a decade apart, the *Asociación de Fabricantes de Cerveza* (ADOFACE: Dominican Association of Beer Manufacturers) and the *Asociación Dominicana de Productores de Ron* (ADOPRON: Dominican Association of Rum Producers) created their self-regulatory standards in 2006 and 2017 respectively. ADOFACE's code is aimed at reaffirming the commitment of the brewers with society, ensuring that beer advertising is honest, with a sense of social responsibility and within the limits of ethics, and human dignity. ADOPRON, on the other hand, supports the responsible consumption of beverages with alcoholic content by people of legal age. Consequently, the marketing and advertising of the products manufactured by its members must be carried out responsibly. It is worth observing that both codes give particular attention to avoid targeting or presenting minors in their ads.

Ecuador

On the State side, the regulation of advertising in this small South American republic begins with the Constitution, which encompasses several sections devoted to political advertising. One such guideline prohibits political candidates from using billboards for political advertising. Also, the broadcast of advertisements promoting racism, discrimination, sexist, religious or political intolerance is forbidden by the *Magna Law*. One other aspect stated in the Constitution is that the State shall control and regulate advertising for alcohol and tobacco. Similarly, Law No. 22 bans direct or indirect advertising of tobacco, medication and political content. The same law prohibits advertisements that violate human dignity and safety; it also forbids deceptive and subliminal advertising.

The Organic Media Law, submitted to Congress in 2009, has not yet been made official. The Bill prohibits advertising and propaganda for child pornography, cigarettes and narcotic drugs. It also states that alcohol advertising should only be aired in adult programs. The Consumer Protection Law of 1990 contains some restrictions and guidelines for advertising goods and services and emphasizes truthfulness when ads refer to quality, quantity, price, and safety.

The *Asociación Ecuatoriana de Agencias de Publicidad* (AEAP: Ecuadorian Association of Advertising Agencies), founded in 1970, is the institution representing the advertising agencies legally constituted in Ecuador. Its mission is to safeguard the members' observance of the rules of ethics and of the self-regulation of advertising practices set forth in their Code of Ethics.

El Salvador

The Government has relied primarily on the Consumer Protection Law of 1996 for advertising regulation. The law establishes parameters for the advertising of goods and services to the consumer. It highlights that it is forbidden for advertising to contain false or misleading information as to the origin, quality, quantity, content, price, guarantee or use of products or services.

The private sector seems to be more involved in self-regulating the industry. In the 1960s the *Asociación Salvadoreña de Agencias de Publicidad* (ASAP: Salvadoran Association of Advertising Agencies) was founded to professionalize the business in the nation. El Salvador became then the first country in Central America with an advertising trade association. Concurrently, ASAP joined forces with the *Asociación de Medios Publicitarios Salvadoreños* (AMPS: Salvadoran Association of Advertising Media) and the *Asociación Nacional de Anunciantes* de El Salvador (ANAES: National Advertisers Association of El Salvador) to form the *Consejo Nacional de Publicidad* (CNP: National Advertising Council) in order to encourage growth in the industry and to ensure honest, legal and moral practices in the business. A few decades later, CNP agreed to create a Code of Ethics for El Salvador to set out the principles governing creativity and the spread of mass mediated persuasive communication.

The Code affirms that the interests of the consumer will always take precedence over the interests of the advertiser, medium or agency. It incorporates regulations for social interests, for respecting human dignity, and for patriotic symbols among others. The normative document also accentuates that advertisements should neither favor nor promote any type of discrimination and that messages must conform to moral standards and public order. In fact, Article No. 22 of the Code emphasizes that ads must use language based on universal principles of good morals and condemns expressions that exaggerate or distort the truth.

In addition to the CNP actions to comply with moral standards, the Brewing Association of El Salvador has also established its own framework for self-regulating its marketing practices, implementing the Code of Self-Regulation for Commercial Communication which lays down the

norms to develop responsible beer advertising. The brewers agreed to produce socially responsible ads, respecting human dignity and integrity; promoting their products in compliance with the legal provision that prohibits the purchase and consumption of beer by youth under 18; and without suggesting that beer consumption is essential for business, professional, academic, sexual, athletic or social success.

Guatemala

This Central American country, cradle to the Mayan civilization, experienced government instability and tumultuous times during the twentieth century. But, as of the twenty-first century the country has enjoyed economic development and more stable governments.

There are some restrictions on advertising on behalf of the State. The Law of the Consumer regulates freedom of expression and declares that falsehood in the quality of products is a violation of the law. This is to deter the broadcasting of advertisements that deceptive regarding the quality of the product or service. The Code of Health controls the advertising of medication. In this respect, any advertisement or publicity about medicinal products must meet the terms of the Ministry of Public Health and Social Assistance. As a final point, Law-Decree 433 protects national producers by ruling that radio jingles and television commercials should be produced in Guatemala.

Regarding tobacco regulation, the Guatemala body of laws is limited to a few restrictions about advertising times and health warnings on ads. Commercials are prohibited between 6:00 am and 9:00 pm and print ads are forbidden in publications aimed at minors. Also, ads must not show people smoking. The Ministry of Health is ultimately responsible for the supervision of tobacco products advertising. Decree No. 74–2008 replaced the Decree 90–97 (Health Code governing tobacco advertising). Most of the ruling**s** in the new government document are concerned with smoking in public places.

The responsibility to ensure self-regulation rests on the *Unión Guatemalteca de Agencias Publicitarias* (UGAP: Guatemalan Union of Advertising Agencies), the society that brings together advertising agencies of this Central American country. The Association has promoted professionalism and ethical principles to its members for over 20 years. It came to life as the result of several actions that began in the 1950s with the creation of the *Cámara de Agencias Publicitarias Guatemaltecas* (Guatemalan Chamber of Advertising Agencies). But in the 1980s several dissidents formed the Association of Advertising Agencies (AGAP). However, the effort did not prosper and 1991 witnessed the merger of the members of AGAP and the Chamber to form UGAP.

Honduras

Although this country is one of the poorest in the region, Etayo and Preciado Hoyos (2009) stressed that Honduras is one of the Spanish-speaking nations that has allotted one of the largest percentages of Gross Domestic Product (GDP) to investments in advertising, with worldwide well-known agencies, such as BBDO and JWT doing business in this Central American nation.

State and self-imposed regulations on advertising are relatively scarce. The Law on Health has several restrictions for the advertising of medications. But, perhaps the most significant advances in regard to legislation can be found in the Consumer Protection Law which regulates advertising actions and prohibits all advertisements that could be totally or partially misleading. There are not too many specific regulations on advertising of alcoholic beverages.

The Special Law for Tobacco Control in 2011 included the prohibition of any form of broadcast, print or outdoor advertising of tobacco products, as well as sponsorships aimed at minors.

The industry is led by the *Agencias Publicitarias Hondureñas Asociadas* (APHA: Associated Honduran Advertising Agencies), which dictates the standards of conduct for its members.

Mexico

The advertising tradition in this nation state, the only Latin American republic located in North America, is parallel to that of the United States. Perhaps due to their proximity, the sequence of historical events in the media is quite similar. However, in regard to national regulation of advertising, the two nations are not as close. According to García Calderón (2011) the State has virtually abandoned its regulatory activity to become an "observer" (p. 183) of the game of interests in the advertising industry. Moreover, she concludes that the Mexican governments' policy regarding advertising has never claimed to infringe on the rights of the advertisers nor to limit the exercise of their activity (p. 183).

Nonetheless, initiatives to regulate advertising have been set within the political agenda of the government of the day (see Medina, 2014a, p. 23). The State has created mechanisms to prevent advertising from harming individuals. For instance, the 1970 Law on Radio and Television restricted propaganda, that is, announcements of industrial or commercial products that could deceive the public. The same legislation prohibited advertising offensive to moral principles, decency and good habits. In regard to alcoholic beverages, Article No. 68 of the Law prohibits children from appearing in this type of ads. At the genesis of the twenty-first century, the new Law of Health repealed the 1986 regulation and established a ruling on the advertising of alcoholic beverages and tobacco products, when it incorporated a chapter related to the Code of Ethics and the Advertising Council.

Mexican advertising has followed the trend that globalization has set for the advertising industry, advancing deregulation and striving for fewer government control. The self-regulatory process brought to life several organizations created to "curb regulations, negotiate them and to establish codes of ethics" (García Calderón, 2011, p. 182). Among those institutions are the *Asociación Mexicana de Agencias de Publicidad* (AMAP: Mexican Association of Advertising Agencies), an IAA chapter, and the *Consejo de Autorregulación y Etica Publicitaria* (CONAR: Council for Self-Regulation and Advertising Ethics). The latter is a private initiative autonomous entity, formed by Mexican advertisers, advertising agencies and the media, to act as mediator in controversies created by advertising practices.

CONAR was established in 1996 to promote a self-regulating culture among advertisers, media outlets, advertising and public relations agencies, as well as higher education institutions in Mexico. The Council promotes the exercise of freedom of expression and is responsible for the Code of Ethics followed by its members. The most recent accomplishment of the organization is the *Código PABI para la Autorregulación de la Publicidad para Alimentos y Bebidas Infantiles* (PABI Code: Self-Regulatory Code of Children's Food and Beverage Advertising) which came into effect in 2009, establishing the guidelines and ethical principles related to the advertising of food and non-alcoholic beverages to children, thus contributing to the prevention of overweight and obesity.

The PABI Code is comprised of 30 articles with clear specifications of restrictions on the advertising of food and non-alcoholic beverages to children under 12 years old. Among the principles emphasized by this self-regulatory document are honesty, decency, truthfulness, human dignity and fair competition.

Nicaragua

This Central American nation is no stranger to historical vicissitudes suffered by the majority of the peoples of the region in terms of governmental regimes. Nicaragua was home to one of the most severe and long-lived Latin American military dictatorships that ended in 1979. Then, the country experienced a gradual change towards a democratic approach, through guerrilla struggles and natural disasters that affected business growth as well as the development of advertising and its regulatory framework.

Although the advertising industry generates more than 130 million dollars every year, the Republic of Nicaragua is still far below other Central American countries (see Galo Romero, 2012). Despite constant growth in the percentage of GDP that the country allocated to advertising in the past decade (see Etayo & Preciado Hoyos, 2009), Nicaragua ranks as the market with the lowest mass media investment compared to other countries in the region, with an average of 8 percent share (see Galo Romero, 2013).

In terms of State regulation, Law No. 182 on Protection of the Consumer of 1994, in Article No. 12 stipulates that consumers must be given accurate, timely, clear and adequate information on the goods and services available in the market. Chapter Four of the law refers to promotion and advertising. Article No. 19 of the Law specifies that false or misleading advertising of products, activities or services constitutes a crime. In the first quarter of 2013 a Bill was introduced in Congress to modify Law No. 182 and to fully regulate deceptive and abusive advertising practices.

As in most countries of the region, the Ministry of Health is responsible for ensuring medication advertising and follows the ethical guidelines dictated by the World Health Organization (see Vacca et al., 2011). In this sense, in 1998 Law No. 192 in its Title VI, established the ruling about information and the promotion of pharmaceutical products, totally prohibiting prescription drug advertising.

The presence of the private sector is limited to the actions taken by the *Organización Nicaragüense de Agencias de Publicidad* (ONAP: Nicaraguan Organization of Advertising Agencies), which in 2019 celebrated its 55th anniversary. The institution has focused on promoting the dignity of the profession, emphasizing ethics in advertising and promoting self-regulation in order to prevent abuse and harm to people in exercising the freedom of commercial communication. ONAP also took the initiative in founding the *Federación Centroamericana de Agencias de Publicidad* (FECAP: Central American Federation of Advertising Agencies) in 1970.

Panama

This nation state also experienced the effects of political turmoil fostered by military power and corruption. Democracy was re-established with the aid of the United States at the dawn of the 1990s. Nonetheless, this strategically located Central American nation has a significant number of government rulings related to commercial communication. In 1947, Law No. 66 established the Public Health Code and introduced the censorship of advertising for medications. Also, in 1956 Decree 601 implemented similar regulations for the advertising of pharmaceutical products.

Decree 129 in 1978 was set forth to dictate measures regarding advertising of alcoholic and non-alcoholic beverages, cigarettes and tobacco. The disposition prohibited the presentation of people consuming the product in advertisements. In 1992, the government took further measures by voting Decree 299 to regulate the advertising of beer and cigarettes. The

statute clarified the types of alcoholic beverages and established specific prohibitions. The Decree also added the socially responsible messages related to the dangers of drinking and/ or smoking. And it prohibited the exhibition of these products in advertising programs aimed at minors.

Law No. 3 that went into effect in 1994 established the Family Code that has to do with regulations regarding minors, and their treatment by publications. In 2007, Law No. 45 for Consumer Protection was added to regulate deceptive advertising.

The private sector has also done its share to self-regulate advertising activities. The *Asociación Panameña de Agencias de Publicidad* (APAP: Panamanian Association of Advertising Agencies), formed in 1958, is the organization that brings together the country's national and international advertising agencies. APAP has overseen the development of industry and the orderly exercise of the advertising profession for almost half a century. The main operating principles of the association are truthfulness in advertising executions and the promotion of ethical standards among its members.

APAP is member of the *Federación de Agencias de Publicidad de Centroamérica y Panamá* (FECAP: Federation of Advertising Agencies of Central America and Panama) and the *Asociación Latinoamericana de Agencias de Publicidad* (ALAP: Latin American Advertising Agencies Association).

Paraguay

Whereas in the twentieth century this nation faced a series of authoritarian regimes, in the twenty-first century the country is experiencing a rapid process of economic development and democratization. The current phase started in the mid-1990s, when the nation-state teamed up with three of its neighboring countries to create the *Mercado Común del Sur* (MERCOSUR: Southern Common Market).

The government has been very active in the regulation of commercial communication, specifically since the creation of MERCOSUR. As a case in point, Decree Nº 8,314 of 1995 was set forth to regulate the advertising of tobacco products and alcoholic beverages. The edict dictates the rules to follow for tobacco and alcohol advertising. Among those are the following: restricted broadcast of tobacco and alcohol ads before 8:00 p.m. (except for sponsored international sports events); ban of tobacco and alcohol ads portraying minors, showing family situations, or including explicit sexual content; billboards advertising tobacco or alcohol near schools, colleges and hospitals; and tobacco and alcohol ads on signs identifying healthcare establishments and primary and secondary schools.

The Health Code of the Public Health Ministry regulates the advertising of pharmaceutical products. Among its principal considerations, this resolution declares that prescription medication can only be promoted to health professionals through scientific publications. It also rules that this government branch must authorize body copy and illustrations for any medicine, food products, and alcoholic beverage advertisements. Other items restricted by law are misleading, comparative and false advertising, as well as children's advertising.

Advertising Agencies in this small South American country are grouped together in the *Asociación Paraguaya de Agencias de Publicidad* (APAP: Paraguayan Association of Advertising Agencies), founded in 1966. The Code of Ethics consists of 11 chapters. Chapter Two establishes the commitment to respect family values and ideologies, suggesting members of APAP abide by principles consistent with ethics and morality. The Code also has a section of special considerations in relation to advertising aimed at children and adolescents, as well as the rules governing the advertising of medicines, alcohol and tobacco products.

The *Centro de Regulación, Normas y Estudios de la Comunicación* (CERNECO: Center for Regulation, Standards and Communication Studies) is in charge of regulating advertising issues and of promoting fair competition. Members (a wide range of commercial companies, including newspapers, alcoholic beverages bottlers, television networks, banks, radio stations, pharmaceutical firms) subscribe to an ethical agreement to respect the provisions of the Advertising Self-Regulatory Code of this institution.

Peru

This "multicultural and multiethnic nation" (Gronemeyer, 2014c, p. 80), located in the West coast of South America, bordering the Pacific Ocean, has been home to several ancient civilizations, including the Inca Empire. Also, similar to other Latin American countries, the Peruvian territory have experience dictatorships and "lived under the Revolutionary Government of the Armed Forces" (p. 80).

This republic's public regulatory system has followed Western trends required by international treaties, and in recent years several laws to define the scope and limits of the advertising of products considered sensitive have passed (see Gronemeyer, 2014c, pp. 81–82). The Peruvian State is very protective of its citizens and their rights are clearly outlined in Article No. 65 of the Constitution, which establishes that in defense of consumers and users the State guarantees the right to information about the goods and services offered in the market. Moreover, it is responsible for watching over the population's health (p. 82).

In addition to the generalities established by the Constitution, there are other legislative pieces directly related to advertising practices. Decree 691 dictates that advertisements must respect the laws and should not mislead consumers with the use of images that may create confusion. The same decree states that commercials for alcoholic beverages have to be aimed at an adult population and that cigarettes ads must include the phrase "smoking is hazardous to health". Decree 716 demands truthful messages and appropriate information for consumers. The most recent government effort to regulate commercial communication is the Law for the Promotion of Healthy Food for children. In 2013 Congress passed legislation on the advertising of "junk food" to ensure the health and nutrition of children in Peru.

The industry self-regulatory system is under the supervision of *the Consejo de Autorregulación y Etica Publicitaria* (CONAR: National Advertising Self-Regulation Council). One attention-grabbing characteristic of CONAR's self-imposed rules has to do with tobacco products. According to the ruling in their Code of Ethics cigarette advertising is subject to requirements of the law. In regard to alcohol products, another attention-grabbing aspect is that eroticism should be avoided.

Puerto Rico

This Caribbean island nation has a distinct political and economic character, different from the other republics in the region, mostly due to its status as Commonwealth to the U.S. This unique situation grants the country similarities with the United States in terms of regulations of the broadcasting industries (Artero, 2009, p. 196) and subsequently the regulatory guidelines for advertising practices.

The local government relies on the *Departamento Asuntos del Consumidor* (DACO: Department of Consumer Affairs) to ensure compliance with the legislation guiding the persuasive communication industry set forth in the *Leyes de Puerto Rico Anotadas* (LPRA: Laws of Puerto

Rico Annotated). Current legislation contains several provisions concerning deceitful or fraudulent advertising and emphasizes such aspects as relevant facts, visual representations, and price comparisons. The DACO also has a set of regulations governing the advertising and promotion of tobacco products.

On behalf of the industry, the agency responsible for ensuring that ethical standards in advertising are respected is the *Asociación de Agencias Publicitarias de Puerto Rico* (AAP: Puerto Rican Association of Advertising Agencies). It was founded in 1963 with the main purpose of improving professional advertising. The AAP is bound to self-regulation and to ethical principles in order to protect the public from deceptive practices by its associates. The organization's Code of Ethics is based on the norms of the International Code of Commerce in Paris, with the extensions and modifications proposed by Puerto Rican advertisers to adapt it to their reality, within the framework of applicable laws. The Code does not aim to replace self-regulatory agreements already adopted by members, other industries, or the regulations of the various government agencies of the United States. It is comprised of 18 articles, among which are those related to advertising to children and comparative advertising.

One other important element boasted in the Code is related to responsibility for its application. The agency responsible for the implementation and penalties under the code is the Commission for the Supervision of the Advertising Agreements at the Chamber of Commerce of Puerto Rico, which operates as *Consejo de Autorregulación Publicitaria* (CONAR: Council of Self-Regulation and Advertising Ethics). In the case of United States advertisers operating in Puerto Rico, if a complaint related to the Code cannot be settled in the island nation-state, because it requires decisions from the company's headquarters in the U.S., the complaint would be handled by National Advertising Division at the Council of Better Business Bureau of Puerto Rico.

Uruguay

As with other nations in Latin America, Uruguay does not have a specific set of regulations for advertising practices. Most of the government control is exercised through general laws that include rulings for the industry. The body of laws that dictates the legal principles of the advertising business in the country is spread through various institutions of the State and includes areas ranging from the advertising of tobacco and cigarettes to the definition of standards for advertising and propaganda from the government.

Relative to consumer protection it is imperative to note Law No. 17.250 that refers to misleading advertising, the objectivity of comparative advertising and truthful information in advertising messages. Law No. 18.256 prohibits the advertising of tobacco related products in print, broadcast, or outdoor media, and as of 2012 the Health Minister submitted a new Bill to Congress looking to completely shut down the advertising of tobacco products forever.

On the other hand, there are self-regulatory rules that are imposed by the actors of the advertising industry. Self-regulation standards set by the various trade associations are aimed at establishing the guidelines for ethical behavior in the industry. In this regard members of the *Asociación Uruguaya de Agencias Publicitarias* (AUDAP: Uruguayan Association of Advertising Agencies) subscribe to the principles set forth in their 2005 Code of Ethics.

Also, advertising agencies and advertisers comply with the regulations of the *Consejo Nacional de Autorregulación Publicitaria* (CONARP: National Council of Advertising Self-Regulation) formed by the AUDAP and the Advertisers Chamber in 2009. Two other prominent self-regulatory institutions are the *Asociación Nacional de Braodcasters Uruguayos* (ANDEBU:

Uruguayan National Broadcasters Association) and the local chapter of the International Advertising Association (IAA).

The IAA Code of Ethics covers a wide range of principles related to truthfulness in the advertising messages and also states the rules for using comparative prices and avoiding unfair practices, such as confusing consumers with products from the advertiser's competitors

Venezuela

This South American nation-state, once known as a very stable democracy in Latin America, is marked by periods of political instability, dictatorships, turbulence and constitutional fluctuations. Such changes have influenced the regulation of advertising practices, from both the government and industry standpoints. On the State side, advertising is regulated in the new Constitution of the Bolivarian Republic of Venezuela, as well as other public administration agencies. In the Private Sector, a joint effort of advertisers and ad agencies has laid down a Code of Ethics.

Venezuela can be ranked among the top three countries in the region in respect to government regulations. State restrictions imposed on advertising are based on public order and good customs. In this sense, the 1974 Consumer Protection Law forbids false or misleading practices in advertising that may harm the consumer. Also, similarly to many other nations in Latin America, the Venezuelan Ministry of Health watches over much of the lawmaking that concerns advertising.

Legislation ranging from drug promotion to advertising of tobacco and alcohol products are interrelated with regulations in other State branches, such as the former *Instituto para la Defensa y Educación del Consumidor y al Usuario* (INDECU: Institute for the Protection and Education of Consumers and Users). Now the consumer is protected under the Law for the Defense of People's Access to Goods and Services and regulations are set forth by the *Instituto para la Defensa de las Personas en el Acceso a los Bienes y Servicios* (INDEPABIS: Institute for the Defense of People's Access to Goods and Services). This division regulates deceptive, comparative and subliminal advertising. Additionally, the INDEPABIS supervises commercial messages to protect consumers from false claims that could compromise their health, and also to protect minors from the effects that advertising content and dissemination might exert on them. More explicitly, the Law forbids advertisements in which children are used to promote bad habits, or disrespect human dignity.

But the government is not the only entity concerned with the proper use of advertising. The industry also has set its own regulatory standards. The *Federación Venezolana de Agencias de Publicidad* (FEVAP: Venezuelan Advertising Agencies Federation) has been working to improve self-regulation, setting forth a Code of Ethics that emphasizes principles of respect for human dignity, the integrity of the family, the national interest, the constitutional authorities, public and private institutions, and national symbols. FEVAP members are reminded that any advertisement aimed at children most show respect for their ingenuity, inexperience and sense of loyalty. Furthermore, ads should not insinuate that the lack of consumption of certain products will make the children inferior. Another relevant aspect is laid out in Article No. 9 of the FEVAP's Code. It states that advertising expressions should not carry out insinuations, claims or suggestions that are contrary to the principles of honor, truth, morality and nobility, generally accepted as normative principles of society

The *Asociación Nacional de Anunciantes* (ANDA: National Advertisers Association) has also establish a Code modeled after the guidelines used in European countries, where the effectiveness of self-regulation systems for business has been amply proven.

CONCLUSION

This chapter has presented a macro view of the development of the media and advertising sector in Latin America, and a compendium of the most significant aspects regarding government and self-imposed regulations in the region. This latter subject is analyzed under the scrutiny of universal moral values, and more precisely from a critical perspective on corporate social responsibility. The creation and adherence to codes of ethics, either individually or collectively, is the key aspect of the inquiry.

The scholarship employed for examining the advertising industry in the 20 Latin American countries, is useful for determining commonalities and differences across the practices followed. Among the common patterns found, in the majority of the nation-states observed, was the formal establishment of ethical standards that are expected to be followed by practitioners and supervised, on the one hand by the different advertising associations in each country, and on the other hand by government authorities. Overall, there is singular evidence that Latin American advertising practitioners are following universal moral principles and that state governments have set forth laws and decrees to guarantee civility and respect to citizens from advertisers.

The advertising business has found itself criticized over several decades in the ethical arena for being either unprincipled or for utilizing principles seen as inadequate for the task (see Drumwright & Murphy, 2009; Rotzoll & Haefner, 1996). Further, the evolution of media technologies and the proliferation of digital platforms for connecting with consumers in Latin America create a vast terrain of new ethical problems, issues and challenges for advertising practitioners. Subjects for review and issues for consideration include image manipulation, image staging, subliminal messaging, false comparisons or misrepresentations (of products and people), the perpetuation of stereotypes, the use of the word *gratis* (free)—in many different forms, including buy-one-get-one—to induce a sale, product placement, and invasion of privacy (more likely via the digital context and social media) are among the many ethical minefields that continue to present enormous and sometimes unprecedented terrain that today's advertising domain must navigate.

From all indications, as the world moves to the third decade of the twenty-first century, it is not abandoning the foundational principles of ethics and corporate social responsibility. Indeed, the observance of universal values is inevitably a substantial part of the core ethical standard of conduct practiced in the Latin American countries examined. Advertising to children and youth, respect for human dignity, the promotion of tobacco and alcohol products are the foci of both the State and the private sector basis for establishing regulation. These matters serve as the foundation to develop an ethical scheme of universal values as a theoretical framework for analysis.

Nonetheless, the rapidly expanding digital environment presents unprecedented and unanticipated challenges concerning ethics because the internet has overextended the nature of the marketplace. A fine example occurred in February 2019 when the Chilean government fined Groupon for deceptive advertising on its Website and for not exercising enough due diligence to ensure that a third-party provider was adhering to the expected standards of ethical conduct. Providers of goods and services are now advertising, marketing, and promoting in an integrated and interconnected space with trans-borders and collaborators. This situation underscores the need to pay careful attention to this e-commerce environment.

This exploratory effort related to the media and advertising industries in Latin America has been conducted with the intention to provide the space for further exploration, analysis, and discussion regarding the topics unveiled by this chapter. It opens up promising opportunities for academics, as it makes available a fresh agenda for the future.

REFERENCES

Arango-Forero, G., & Roncallo-Dow, S. (2013). "Social Media and New Audiences as a New Challenge for Traditional and New Media Industries." In M. Friedrichsen, & W. Mühl-Benninghaus (Eds.), *Handbook of Social Media Management* (pp. 635–655). Berlin: Springer.

Ardao, A. (1980). *Genesis de la idea y el nombre de América Latina*. Venezuela: Avila Arte, S.A.

Ardao, A. (1986). *Nuestra América Latina*. Montevideo, Uruguay: Ediciones Banda Oriental.

Artero, J. P. (2009). "The Media in Cuba, the Dominican Republic and Puerto Rico." In A. Albarran (Ed.), *The Handbook of Spanish Media Language* (pp. 189–199). New York: Routledge.

BBC News (2013). "Mobiles 'To Outnumber People Next Year', Says UN Agency." Retrieved from https://bbc.com/news/technology-22464368.

Buckman, R. T. (1996). "Current Status of Mass Media in Latin America." In R. Cole (Ed.), *Communication in Latin America: Journalism, Mass Media and Society* (pp. 3–37). Wilmington, DE: Scholarly Resources Inc.

Bughin, J., & Spittaels, S. (2012). *Advertising as an Economic-Growth Engine: The New Power of Media in the Digital Age*. Brussels: McKinsey & Company.

Cantor-Navas, J. (2019). "Digital Ad Spending in Latin America Forecast to Grow 14 Percent in 2019." Retrieved from https://billboard.com

Central Intelligence Agency (CIA) (2013). *The CIA World Factbook*. Retrieved October 1, 2013 from https://cia.gov

Christians, C. G. (2019). *Media Ethics and Global Justice in the Digital Age*. New York: Cambridge University Press.

Cole, R. (1996). *Communication in Latin America: Journalism, Mass Media and Society*. Wilmington, DE: Jaguar Books.

Cruz Taveras, G. (2016). "La Autorregulación Publicitaria: Un Paso para la Economía." *Anuario Dominicano de Propiedad Intelectual*, 3, 179–190.

Drumwright, M. E., & Murphy, P. E. (2009). "The Current State of Advertising Ethics: Industry and Academics Perspectives." *Journal of Advertising*, 38(1), 83–107.

Etayo, C., & Preciado Hoyos, A. (2009). "Advertising in Spanish Language Media." In A. Albarran (Ed.), *The Handbook of Spanish Media Language* (pp. 249–265). New York: Routledge.

Faustino, P. (2014). "Brazil." In M. A. Shaver, & S. An (Eds.), *The Global Advertising Regulation Handbook* (pp. 53–62). New York: M.E. Sharpe, Inc.

Fejes, F. (1980). "The Growth of Multinational Advertising Agencies in Latin America." *Journal of Communication*, 30(4), 36–49.

Fortune Magazine (2012). "Mexico's Media Monopoly Vs. The People." Retrieved from http://fortune.com/2012/09/14/mexicos-media-monopoly-vs-the-people/.

Fragoso, S., & Maldonado, A. E. (2010). "The Internet in Latin America." In J. Hunsinger et al. (Ed.), *International Handbook of Internet Research* (pp. 201–215). Berlin: Springer Science+Business Media.

Galo Romero, H. (2012). "La Publicidad Crece, Pero Lenta." *La Prensa*, October 18. Retrieved from http://laprensa.com.ni

Galo Romero, H. (2013). "Miopía Para La Publicidad Aún Existe." *La Prensa*, October 16. Retrieved from http://laprensa.com.ni

García Calderón, C. (2011). "Los Alimentos Chatarra en México, Regulación Publicitaria y Autorregulación." *Derecho a Comunicar*, 2, 170–195.

Gomez, R. (2004). "The Hall of Mirrors: The Internet in Latin America." *Current History*, 99(634), 72–77.

Goodrich, K., & De Mooij, M. (2014). "How 'Social' are Social Media? A Cross-Cultural Comparison of Online and Offline Purchase Decision Influences." *Journal of Marketing Communications*, 20(1–2), 103–116.

Gossett, A. (2011). "Brazil's Utilization of Self-Regulation to Control the Advertising Industry." *Law & Business Review of the Americas*, 17(1), 121–131.

Gronemeyer, M.-E. (2014a). "Argentina." In M. A. Shaver, & S. An (Eds.), *The Global Advertising Regulation Handbook* (pp. 43–52). New York: M.E. Sharpe, Inc.

Gronemeyer, M.-E. (2014b). "Chile." In M. A. Shaver, & S. An (Eds.), *The Global Advertising Regulation Handbook* (pp. 63–72). New York: M.E. Sharpe, Inc.

Gronemeyer, M.-E. (2014c). "Peru." In M. A. Shaver, & S. An (Eds.), *The Global Advertising Regulation Handbook* (pp. 80–90). New York: M.E. Sharpe, Inc.

Grullón Morillo, A. (2017). *Análisis del Desarrollo Mediático en República Dominicana: Basado en los Indicadores de Desarrollo Mediático de La UNESCO*. Santo Domingo, DR: Mediabyte, SRL.

Hartlyn, J. (2001). "Dominican Republic: Government and Politics." In H. Chapin Metz (Ed.), *Dominican Republic and Haiti Country Studies* (pp. 159–208). Washington, DC: Federal Research Division Library of Congress.

Holloway, H. (2011). "Introduction: Latin America: What's in a Name." In T. H. Holloway (Ed.), *A Companion to Latin American History* (pp. 1–9). Malden, MA: Blackwell Publishing.

Kohlstedt, K. (2016). "Clean City Law: Secrets of São Paulo Uncovered by Outdoor Advertising Ban." Retrieved from https://99percentinvisible.org/article/clean-city-law-secrets-sao-paulo-uncovered-outdoor-advertising-ban/

Lugo Lovatón, Z. (2006). *Publicidad y Mercadeo: Manual de Doctrina y Legislación Dominicana*. Santo Domingo, DR: Editora Centenario, S.A.

Mariscal, J., Gamboa, L., & Marin, C. R. (2014). "The Democratization of Internet Access through Mobile Adoption in Latin America." In G. Goggin, & L. Hjorth (Eds.), *The Routledge Companion to Mobile Media* (pp. 104–113). New York: Routledge.

Martín-Barbero, M. (1993). *Communication, Culture and Hegemony: From the Media to Mediations*. E. Fox, & R. A. White (Trans.). London: Sage.

Medina, M. (2014a). "Mexico." In M. A. Shaver, & S. An (Eds.), *The Global Advertising Regulation Handbook* (pp. 18–25). New York: M.E. Sharpe, Inc.

Medina, M. (2014b). "Colombia." In M. A. Shaver, & S. An (Eds.), *The Global Advertising Regulation Handbook* (pp. 73–79). New York: M.E. Sharpe, Inc.

Mignolo, W. (2005). *The Idea of Latin America*. Malden, MA: Blackwell Publishing.

Pérez Escamilla, R., Lutter, C. K., Rabadan Diehl, C., Rubinstein, A., Calvillo, A., Corvalán, C., Batis, C., Jacoby, E., Vorkoper, S., Kline, L., Ewart-Pierce, E., & Rivera, J.A. (2017). "Prevention of Childhood Obesity and Food Policies in Latin America: From Research to Practice." *Obesity Reviews*, 18(2), 28–38. doi:10.1111/obr.12574

Ramos, D. (2016). "Cuban Social Media and Online Voices." *New York Times*, March 21. Retrieved from https://nytimes.com/

Rocha, V., Hungria, C., & Umekita, D. (2003). "Advertising in Brazil: The Success of Self-Regulation." Global Advertising Lawyers Alliance Website.

Rotzoll, K. B., & Haefner, J. E. (1996). *Advertising in Contemporary Society*, 3rd ed. Urbana: University of Illinois Press.

Salzman, R. (2011). "News Media Consumption in Latin America: Who Does It?" *Journal of Spanish Language Media*, 4, 23–39.

Salzman, R., & Albarran, A. B. (2011). "Internet Use in Latin America." *Palabra Clave*, 14(23), 345–355.

Salzman, R., & Salzman, C. (2010). "Central American Media: Testing the Effects of Social Context." *Journal of Spanish Language Media*, 3, 5–23.

Sinclair, J. (2004). "Latin America and Spanish Television." In J. Sinclair, & G. Turner (Eds.), *Contemporary World Television* (pp. 87–122). London: BFI Publishing.

Strohmenger, R. (2010). "Consumers in Brazil, Mexico Use Internet Differently." *Advertising Age*, June 16. Retrieved from https://adage.com/article/global-news/consumers-brazil-mexico-internet-differently/144489

Torres-Baumgarten, G. (2011). "Multinational Advertising Agencies in Latin America: From Historical Development to Present Practices." In E. Alozie (Ed.), *Advertising in Developing and Emerging Countries: The Economic, Political and Social Context* (pp. 233–251). Aldershot: Gower Publishing.

Tungate, M. (2007). *Ad Land: A Global History of Advertising*. London: Kogan Page.

Tunstall, J. (2008). *The Media Were American: U.S. Mass Media in Decline*. New York: Oxford University Press.

Vacca, C., Vargas, C., Cañas, M., & Reveiz, L. (2011). "Publicidad y Promoción de Medicamentos: Regulaciones y Grado de Acatamiento en Cinco Países de América Latina." *Revista Panamericana Salud Pública*, 29(2), 76–83.

Veras, T. (2009). *Las Telecomunicaciones en América y República Dominicana. Origen y Desarrollo*. Santo Domingo, DR: Editora Corripio.

Victor, S. R. (2012). *Ethics in Advertising and Marketing in the Dominican Republic: Interrogating Universal Principles of Truth, Human Dignity and Corporate Social Responsibility*. (Unpublished doctoral dissertation). Urbana-Champaign: University of Illinois.

Wiarda, H. J., & Kryzanek, M. J. (1992). *The Dominican Republic: A Caribbean Crucible*. Boulder, CO: Westview Press.

14

Moral Problems and Ethical Issues in China's Media

Jiang Zhan

In 1978, China entered the era of Deng Xiaoping's "Reform and Opening to the Outside World," and since then a totalitarian state has gradually become a post-totalitarian one. Marxism-Leninism and Maoism are still the so-called "orthodox" ideology, but in fact few officials believe in them. People pay more attention to material life and wealth, and this country has become more and more capitalistic. A Mao cover photo in *Time* magazine described it as "socialism with Chinese characteristics," in which the Mao suit that Mao is wearing is dotted with numerous trademarks of the LV brand ("China's New Revolution," 2005).

With the decline of traditional ideology, the rise of a market economy, and the emphasis on science and technology, China has said good-bye to the small number of media outlets in Mao's era and now has a complete range of media systems equipped with modern technology.

The European author, Claude-Jean Bertrand, believed that codes of media ethics "can only exist in democracies," and they "are only respected in the countries where there are a free press and a community of journalists with high-level ethical standards, and media and journalists are proud of their work." Whereas in poor nations, there are less consumers and advertisements, and therefore there is a corrupt, state-funded and controlled press. Even though such poor countries may claim that there is democracy there, it is meaningless to talk about professional ethics of the media (Bertrand, 2006, p. 6).

According to Bertrand, media ethics cannot exist in "non-democratic" third-world countries. Sorry, I disagree with his absolutist view of "no democracy, no media ethics." In such transitional countries as China and Russia, we have seen the beginnings of media divergence and professionalization, and discussions[1] and debate on media ethics are often warm or even hot, although there are so many difficulties. On the other hand, it is true that poverty and the media's ethical behavior cannot coexist long term. In most countries, most media are marketed-oriented and financially self-supported. The marketization of media is both a blessing and a curse, and has caused more and more ethical/morality-related criticism—Robert McChesney (1999) calls it "rich media, poor democracy." However, good management and sound finance are the foundation of media independence and autonomy, and they are vital to maintaining the ethical and moral standards of the media.

The Party-State still controls such crucial resources of traditional media as ownership and power over personnel, and propaganda departments at all levels are still dominating the most

important news and opinions. But the traditional Soviet propaganda model has been challenged for many years and partially abandoned. China's media have become more and more market/advertisement-oriented, and there has been a kind of limited diversity within it.

Limited diversity does indicate some degree of media differentiation. In 2008, Hu Jintao, then Secretary-General of the Chinese Communist Party, introduced a classification of China's news media. According to Mr. Hu, among three categories of China's media, the first is the Party press and broadcast stations, that is, the Party's organs or mouthpieces; the second is "metropolitan media"; and the third is online media (Hu, 2008, p. 1).

The first category Mr. Hu introduced is the Party/State media, which can be roughly divided into two sub-categories: the first is orthodox and privileged media, such as the *People's Daily*, CCTV and the Xinhua News Agency; the main moral problems of these media are propaganda-related deceit and fabrication. The second is marginal and disadvantaged print media, such as newspapers and magazines sponsored by departments of the State Council. They have lost most of their readership and advertisers and are often in financial crises. In order to survive, they frequently extract payments through threats of negative information.

The second category Mr. Hu introduced is market/audience-oriented media. They also can be roughly divided into two sub-categories: 1) The first is the large number of sensational media, such tabloids as *Evening News* and *Metropolitan News* and some programs of local TV stations. Their problems are similar to those described by Western critics as "market-driven journalism," such as the invasion of privacy, trial by media, and the cruel presentation of tragedy; 2) The second is the "glorious minority," that is, the few quality newspapers and magazines modeled after American journalistic professionalism. These include the Beijing-based Media Group led by Ms. Hu Shuli, the most famous journalist in China, *Caijing [Finance]* magazine, the daily paper *Beijing News*, the Guangzhou-based weekly paper *Southern Weekend*, and the daily paper *Southern Metropolitan News*. These print media are seldom under moral criticism.

FRAMEWORK: DISTINGUISHING MORALS FROM ETHICS

According to Professor Chen Lidan, a famous media scholar, there have been sixteen kinds of behavior that violate codes of ethics in China's news media: 1) a confusion of responsibilities between editorial staffs and business departments, which leads to the flood of "paid news" and the regular practice of the "red envelope"; 2) the confusion of advertisements with news columns; 3) ad-sponsored news columns; 4) keeping one's mouth shut after taking a bribe; 5) fake news; 6) making "pseudo events"; 7) getting various benefits from interviewees; 8) intrusion on privacy; 9) the infringement of copyright; 10) trial by media; 11) intrusive undercover interviewing and hidden cameras; 12) the refusal of correction and reply; 13) sensational coverage of celebrities' affairs and criminal cases; 14) heartless news; 15) the clear pictorial presentation of violence, blood, disaster, sorrow and suffering; and 16) deceptive and vulgar advertisements (Chen, 2008, pp. 257–280).

It is not difficult to see that Professor Chen has given us a panoramic description and made some meaningful conclusions after listing so many immoral phenomena. But firstly, these phenomena are not at the same level and of the same nature; some are basically related to law, such as the infringement of copyright. Secondly, morally or ethically all the phenomena mentioned by Professor Chen are not wrong or evil. To be convenient for explaining and understanding, I distinguish between morals and ethics following the approach suggested by professors Clifford Christians, Philip Patterson and Lee Wilkins (Patterson and Wilkins, 2001, p. 2). Within their framework, my own definitions of morals and ethics are these: a moral problem is one going

against the traditional moral commandments and professional rules of the media; an ethical issue is one related to a moral dilemma of media professionals or a fierce controversy or hot topic in the media that lacks social and professional consensus. I think that the highly serious moral problems of the media are the ones that really make a difference between China and the West (Zhan and Peng, 2014, pp. 5–24).

Among the moral problems of China's media, there are four that are the most important: 1) media professionals deceive the public by way of "positive propaganda," paid silence and news-like ads after accepting ill-gotten benefits; 2) fake news, including fabrication, adulteration, plagiarism, falsification, staged pictures and concealment; 3) the media's cruel presentation of pain and sorrow in tragedies; and 4) the media's reporting of sex-related events in excessive and sometimes even illegal ways (Zhan and Peng, 2014, pp. 52–177).

While facing challenges due to severe moral anomie, five common ethical issues of the global media begin to emerge in and around China's media: 1) how to draw a reasonable borderline between undercover interviewing and hidden cameras; 2) which is first for a journalist: saving life or reporting; 3) press freedom versus fair trial; 4) how to deal with news sources; and 5) violence in the media versus violence in the real world (Zhan and Peng, 2014, pp. 178–338).

MEDIA MORALS: AT THE BOTTOM OF THE PROFESSIONAL WORLD

"Red Envelopes" and "Soft Articles"

A red envelope is a red paper containing money as a small gift in China. For a long time, it has been a custom to give red envelopes on all kinds of festival occasions. But now "red envelopes" have become a commonly used corrupt means among the Chinese. A briber gives someone a red envelope as pay for a "service" provided. Nowadays, receiving red envelopes is a common practice among civil servants, doctors, judges and teachers. In the press, the phenomenon of red envelopes is commonplace. It has become a so-called "severely afflicted area" among all kinds of media corruption, and it is a chronic illness and disease of China's media. The sum of money varies from RMB hundreds to thousands, or even to tens of thousands.

According to journalists' attitudes about receiving red envelopes, there are two kinds of behaviors: active and passive. Receiving red envelopes actively by journalists is a practice using their "power of publishing" to threaten interviewees, and if the interviewees give money, their negative news can be concealed; if they refuse, they will face the danger of exposing their scandals. This is actually a kind of blackmail under the guise of watchdog journalism. Receiving red envelopes passively by journalists is the practice of being approached by persons who take the initiative to contact journalists, asking them to do "positive reporting" for their work ("positive reporting" is not news essentially, because it has no news value). The persons' wishes are to use media resources to sing praises, boast flattery, or eliminate its "negative" effects when so-called "Crisis PR" is needed. Or they want journalists not to publish critical reporting, and the expense for this kind of behavior is often referred to as "hush money."

The essence of "soft articles" is to confuse the difference between news and advertising, that is, to do advertising under the cover of news reporting, in order to achieve the effect of "moistening everything silently." The popular saying, "clever enterprises publish news, stupid enterprises do advertising" reflects the commonplace of illegal and immoral advertisements (Chen, 2009, no. 10). "Soft articles" first appeared in 1980s. In order to contact the media to advertise, many enterprises established PR departments. These departments do activities planning according to the needs of their marketing studies, and reporters and copy editors meet the companies' needs

and publish copies written by PR workers but signed by reporters or others; journalists receive the company's "contribution fees" (or "red envelopes", "traffic fees", and so forth) (Wu, 2008, no. 2). In the 1990s, PR companies acting as the "intermediary" between news enterprises and the media arose at this historic moment, and promoted the process of collaboration among journalism, PR companies, and the media.

To control and wipe out the phenomenon of paid news as "red envelopes," many national agencies since 1985, ranging from the State Council to the Central Propaganda Department, have issued dozens of documents forbidding "red envelopes" and "soft articles." But instead of a decrease in these practices, they have gotten worse. Now even when government departments and universities hold press conferences, "red envelopes" must be prepared in advance.

Fake News

As mentioned above, fake news can be divided into six types: fabrication, adulteration, plagiarism, falsification, staged pictures and concealment. The first is fabrication, and fabricated news is entirely fictional. It is not common, and usually has no relation to important events and figures. But on the morning of 2013, *Ta Kung Pao*, a Hong Kong-based, pro-Beijing newspaper, printed a long news story of China's new leader Xi Jinping taking a taxi to travel incognito ("Xi Jinping Travels Incognito," 2013). But in the afternoon of the same day, *Ta Kung Pao* posted an apology letter and said that Xi Jinping's story was a fake. According to this author's personal connection, the two writers of the report are still on their jobs at the newspaper, and it is not unusual in China.

The second is adulteration: Adulterated news is much more than fabricated news. It often adopts the technique of mixing the sham with the genuine. News elements such as time, place, character are all in there, so it often is used for the production of various news. In the era of globalization, it is necessary for us to guard against some semi-official and highly commercial media that mix nationalistic propaganda with adulteration, falsification and other tricks. For example, *Global Times*, a tabloid affiliated to the *People's Daily*, made up a dialogue between the reporter and a college student in an article related to Google's withdrawal from China (Zhan and Peng, 2014, pp. 88–90).

The third type of fake news is plagiarism, usually sharing some similarities with adulteration. Facing deadline pressure, peer competition and a steady stream of writing demands, journalists from the fledgling novice with an urgent need for professional achievement to the well-known writer busy with column writing, it is hard to avoid taking words from others' articles in a time when it is so convenient to read and download online articles.

The fourth type is falsification. With the help of photoshop techniques, falsification is usually related to a photographers' alteration of news photos to win awards. In recent years, some award-winning news photos have been exposed for falsification by way of photoshop techniques. In addition, it seems that the *Global Times* is good at falsifying articles translated from foreign languages. In May 2009, the German correspondent of *International Herald Leader*, a subsidiary of Xinhua News Agency, uncovered a *Global Times*' article quoting a German local newspaper that had falsified key facts (Zhan & Peng, 2014, pp. 108–110). This author found that the Chinese translation of an Indian blogger's article substituted key words (Zhan and Peng, 2014, pp. 110–112).

The fifth type is staged pictures, both still and movable. The early form of staged pictures is posed photography. After the rise of television, to "capture" a sense of the news spot and the decisive moment, to control production costs and to meet the need for propaganda, some Chinese media and journalists break the basic journalistic bottom-line, and do such immoral practices as posed photography and staged pictures. According to this author's observation, CCTV frequently

uses such tricks, and in some cases they are captured and made public by clever Chinese netizens. One of these cases is about a CCTV's live report on the great earthquake in Sichuan province in 2008 (Zhan and Peng, 2014, p. 116).

The sixth type, concealment, refers to some Chinese media practices which—although under a degree of political and economic pressure—are in reality able to act as watchdogs, but they choose to abandon actual reporting. On one hand, this is more or less similar to the results of "red envelopes", "soft articles" and "hush money"; on the other hand it is basically a timid self-censored behavior, especially when the public interest or even the nation are in great danger. It is unfortunate that in China so many journalists often either keep themselves mute and deaf for so-called political reasons or shut their mouths for economic reasons.

Tragedies, Sorrows and the Media's Cruel Presentation

At the beginning of China's "Reform and Opening-up," pro-citizen evening newspapers sprang up all over China's big cities. They not only brought news of the day to mass urban readers, but also to some extent played the role of environmental surveillance; citizens could read such tragic news as car accidents, fires, and thefts. From the early 1990s, with the speed up of the market economy, metropolitan newspapers emerged; unlike evening papers, they are morning ones, and common people, including migrant workers, could read such disastrous news as earthquakes and coalmine mishaps.

When journalists report tragic and disastrous news, they bring pain and harm to victims and their families. In China, reporters from evening and metropolitan papers often intrude on people who are in a sad mood after an accident or a misfortune. This conduct is called "intrusion into grief." Common intrusion behaviors include: 1) interviewing with deceptive or coercive means; 2) forcefully opening interviewees' painful memories; 3) inaccurate reporting; 4) reporting with indifferent or frivolous language and making fun of tragedy; 5) overstimulated pictures and verbal description (Wei, Xiao, 2007, no. 2). The conflict between journalists reporting tragedy and people frightened by tragedy is inevitable.

It seems that these problems are the ill effects of Chinese-style "market-driven journalism." Professor Wang Dingding, a famous economist, points out that today's journalism faces a dual dilemma. Firstly, we live in a period of the market craze. When the masses lose their common sense, there comes the market craze. Secondly, we live in a transitional society. The mass media, on one hand, must perform their function of "guiding public opinion." (Professor Wang refers to the fact that the media should follow the Party's propaganda instructions and carry out the policy of "positive propaganda" or "good news"). On the other hand, the media are immersed in the market, and become more and more profit-driven. Once the market is expanding wildly, and makes a society embedded within itself, the means become the end. When profit-making becomes the end, anything that makes a profit is "news." In such a market-oriented society, the "society" is embedded within the "market," so the mass's behavior is consumeristic, short-term, without any thought for the ultimate meaning of life (Wang, 2007).

Private-affair Literature and Reckless Media Conduct

In the history of Western countries, privacy has mainly existed as a positive social value. But in China, where the state has been indoctrinating the people with state ideology since ancient times, privacy and its predecessor, private affairs, are understood in a quite negative sense. They refer to private affairs and a shady scandal, often sex-related, conflicting with traditional notions of family and state. From the beginning of the "Reform and Opening-up," and especially in recent

years, the consciousness of sex-centered privacy began to grow among Chinese people. The era of mass media, especially the new media, is one when sexual topics become more and more open and would help to change social concepts about sexuality.

China's ancient civilization is well known for the implicit style and low profile of its people, and its conservatism with sex. Sex is the number one topic of privacy in its history, and such a subject or issue has been a taboo in social places for a long, long time. After a mere 20 to 30 years, great changes have taken place. In some sense, China is becoming an erotic society. You can now say something about Mao's private affairs with his mistresses. And in China's traditional and new media, there are more and more sex-related news stories and commentaries which seem to conform to the public's interest. While more and more individuals choose to make their private lives open in the media, the media pay more attention to look for and dig out such materials.

Entering the twenty-first century, a strange phenomenon began to appear in China's media. Each time a female official fell from power for graft and bribery, gossip about her would be flying in society and the media, especially in metropolitan newspapers and magazines. It would be difficult for a reader to distinguish real messages from false. Eventually, to safeguard their personal rights, some of these former officials entrusted their family members to take legal action against the media for defamation. The reason why these female officials are harassed by such sex-related gossip is that there has been a stereotype about female officials among so many Chinese media and common people.

To charge big contribution fees, some veterans who consistently make-up stories dare to coin any "story," to fabricate lively "details," and to declare somebody guilty of any crime before decisions by procuratorates and courts. Completely deviating from the principles of factual and objective reporting, what they do is just tap their keyboards, then let a corrupt official say or do something they want to, and describe every corrupt official as a harem who has both a wife and many concubines, stopping his walk whenever he sees a beauty.

MEDIA ETHICS: WESTERN AND CHINESE STYLE

Undercover Interviewing and Hidden Cameras

Nearly 100 years ago, some Chinese journalists began to use the technique of undercover interviewing. Today, the combined techniques of newspaper-derived undercover interviewing and TV-derived hidden cameras have become one or two of the most controversial and exciting interview techniques all over the world. Undercover interviewing and hidden cameras are highly controversial, because journalists can get news by means of deception; secondly it is good for exposing the unknown and "shady." Though controversial, it is unwise to throw them away, because in China, where there are numerous cases of corruption. It would be very difficult for journalists to expose them unless they used these two effective weapons.

Chinese scholars hold different views about the boundary of undercover interviewing. Professor Chen Lidan takes a negative attitude toward undercover interviewing and hidden cameras on the whole. In an interview by *Southern Weekend* 2010, he said, "undercover interviewing should not be done." Many years ago, Professor Chen criticized *Focus Interview*, a famous CCTV program, for excessively using undercover interviewing. He said that 90 percent of the undercover interviewing done by the Chinese media is unnecessary, and the motive of most journalists who did it is to get dramatic materials (Huang, 2010). It seems that the All-China Journalists Association, a semi-official body, picked Professor Chen's brains; its 2009 edition

of the Chinese Journalists' Professional Codes of Ethics, states that journalists "should get news material through legal means and ways."

This author has a reservation about Professor Chen's negative attitude toward undercover interviewing. Undercover interviewing and hidden cameras are typical issues of media ethics which are hotly controversial at home and abroad, but whose abolition does not seem desirable, and at the same time is not workable. In light of the value of undercover interviewing in investigative reporting, most scholars agree with a limited use of undercover interviewing for TV news (Guo and Zhan, 2006, pp. 137–222). If journalists do not consider other alternatives before using undercover interviewing, they are likely to damage the public trust for their work and journalism. Therefore, if the news subject is of serious public interest, undercover interviewing in news reporting should be allowed.

Whether Journalists Should Save Lives

Should a journalist save a person's life or continue to do reporting/photographing when an interviewee is at risk or in a dangerous zone? In China, this is a much more controversial issue than the use of undercover interviewing and hidden cameras. If journalists prefer reporting to saving a life, the public often criticizes this behavior or choice. And if journalists prefer to save a life, quite a number of people may think that they should not display their acts of kindness, because it may be seen as a "show." In such cases, journalists are often caught in a dilemma; they cannot make a choice that will satisfy all sides. There are roughly three views on this issue in China.

Party A thinks that priority should be given to saving lives. There is a general view inside and outside the press that believes moral sympathy should be the number one option. First of all, reporters/photographers are members of the human community before they are journalists. A media worker wrote, saving a life first is a natural thing to do when somebody is in danger; what the journalist does is something anyone would do in such a case, to help in a crisis. If he/she does not save the life, any reason would be an excuse for avoiding moral duty, and any explanation is pale, fragile, even though it seems to be high-sounding, clear and logical. How can saving a life be made conditional? No reasons are needed to defend a person for choosing to save a life (Jia, 2005, no. 7).

Party B thinks that reporting is preferred. This group does not think that journalists should play the role of a rescue hero. They believe, based on journalistic professionalism, a qualified journalist would rather be a recorder than an intruder, and he/she must act as a detached judge rather than a tendentious lawyer. When journalists are in an emergency, more tolerance should be given to them, to let them do their job of telling the truth about good or evil. Nobody wants to see the fact that the "heroic" journalist intruded. As an opinion article of the *China Youth Daily* states,

> If you can't stop a war, then you can reveal the cruelty of war. Similarly, although difficult to avoid suspicion, the photographer at least showed the cruelty of a disaster to the public through shooting the scene; let people take warning through a reflection on the tragedy, to improve the level of security. In this sense, shooting a disaster is also a way to save lives, but this way will hurt people's nerves, urge people to reflect, in order to minimize and avoid disasters.
>
> (Zhao, 2009)

Party C pays attention to a middle course and concrete situations. This group argues that debates about media ethics must consider different contexts in different societies. Critic Chang Ping thinks that this is a postmodern question in Western countries, where societies have been fully modernized, journalists have been fully professionalized and truths have been fully told.

Only after the modernization process can come the contradiction between highly professional-ized journalists and common humanity. In China, the reality of a pre-modern country tells us that our main tasks are still how to cultivate the professional spirit and how to tell the truth (Chang, 2007, no. 4).

Press Freedom and Fair Trial

According to the framework of this chapter, "trial by media" in the UK and USA is a typical moral problem, and it refers to the media's practice of violating the legal principle of the assumption of innocence. Very interestingly, after a long-distance cross-cultural journey, "trial by media" has become a hot ethical issue in China. Entering the twenty-first century, increasing attention has been paid to it, and many theses have been written by teachers and students at schools of journalism and law. Generally, most observers are concerned about a growing number of misbe-haviors, "trial by media," and sharply criticize them. But there are now highly differential views on "trial by media" among journalism and law scholars and among media and law professionals. It is especially worthwhile to examine the arguments held by representative media law experts.

Ms. Xu Xun, a senior journalist and a media law expert, argues that the phenomenon of "trial by media" does exist in China, but it does not mean the term can be used as one pleases. If "trial by media" refers to all the media's reports and comments on legal cases, this sort of sweeping generalization is unacceptable, and it will lead to unreasonable restriction of the public's right to know and their right of free speech. Before a case occurs and after its first instance, especially after its final instance, reports and comments on it should not be regarded as "trial by media."

If Ms. Xu's viewpoint can be referred to as "drawing a clear borderline" theory, then Zhou Ze, another media law scholar and journalist/lawyer, strongly questioned whether there is a kind of Western-style "trial by media" that could interfere with judicial judgment in China. The lawyer Zhou Ze, with qualifications, admits that this phenomenon may indeed exist. In China's present judicial practice, that is to say, judges are apt to be influenced by public opinion and public opinion is apt to be misled by the media's improper reporting. And this situation also shows that there are problems in the configuration and operation of judicial power in China, namely courts are unqualified, some judges are unprofessional, incompetent and unqualified, trials are not inde-pendent and do not meet the requirements of fair trial prescribed by the conventions of interna-tional human rights. Obviously it is not the media and public opinion that hinder the independent judgment of Chinese courts.

Zhou Ze argues that, if China's judiciary were independent, its courts qualified, and judges competent enough to correctly understand and regard media reporting; and if leading officials had the basic concept of the rule of law, did not make instructions on cases as they please, and did not intervene on the judiciary with their administrative power, then courts would not be misled by the media's reporting, even though there are big problems in the media's reporting.

> On the condition that there are so many problems with the configuration and operation of China's judicial power, it is difficult to ensure fair trial of a specific case, even without the reporting of the media and attention of public opinion. Furthermore, one can say, without media and public opinion, some trials would have been even more unfair.

As a result, it is simply meaningless to talk about the intervention into judicial operations by the "trial by media" and "trial by public opinion" (Zhou, 2004, no. 4).

Shortly after Zhou printed his essay, Dr. Benjamin L. Liebman, Director of the Center for Chinese Legal Studies at the School of Law, Columbia University, published an epic 157-page

paper in the *Columbia Law Review* titled "Watchdog or Demagogue: The Media in the Chinese Legal System" (January 2005). As a China expert, Liebman argues that in countries and regions of the Anglo-American legal system, "trial by media" means that the media's reporting and comments may exert a direct influence on a jury, and could finally lead to an unfair trial. But in China, the media's reports and comments may put a direct effect on Party/State officials before they may put pressure on dependent courts. Therefore, unlike the general understanding of "trial by media," the basic mode of the Chinese media's influence on the judiciary is "the media influences officials, and officials influence courts."

Professor Wei Yongzheng, a senior media law scholar, basically agrees with Liebman and Zhou. However, going even further, Professor Wei suggests a novel idea about "trial by media." There is a distinction between the concepts of "behavioral offense" and "consequential offense" in criminal law. Professor Wei argues that it is improper for us to assert whether a case is influenced by news reporting that is described as "trial by media." But this is not contradictory to the stance of opposing "trial by media." If they do not follow legal procedures, somewhat like a conduct of "behavioral offense," these news reports are harmful, even though they eventually do not have an effect on the court trial. In terms of the so-called "consequential offense," that is, the media's direct influence on decisions of courts and judges in China, Professor Wei has a doubtful and negative view. He points out that,

> Once the media's reports and comments have an effect on leaders of the Party, delegates of the National People's Congress or the heads of the government and its departments, these figures would impose substantial influence on the judiciary that judges are unable to resist.
>
> (Wei, Yongzheng, 2007)

How to Treat News Sources

For the news media, sources are fundamental to making a living. Media with a broad and powerful network of sources often scoop the news competition. But if they use and treat sources improperly, trouble will come, because most of the factual errors come from sources. Anonymous sources may become a hotbed of fake news and frequently cause lawsuits, and finally lower the level of the media's credibility. In China, anonymous sources do not directly lead to lawsuits as yet, but misuse of them is beginning to occur in journalistic practice.

There appears to be an increasing number of controversies and criticism over the relationship between journalists and sources, and these cases are mainly related to metropolitan newspapers and magazines as well as to the Party's organs. Regardless of promises made by journalists, some media disclose confidential sources. In order to reverse a libel lawsuit, a Beijing-based newspaper, at its lawyer's suggestion, successfully persuaded an anonymous source to reveal her identity and submit her recordings to the court (Liu, 2014). As mentioned above, in their international reporting, such highly politicized tabloids as the *Global Times* are known to make up sources or tamper with original texts. A CCTV's female journalist was charged with accepting a large bribe from a source; the court made a decision stating that the two were lovers, and the journalist was put on probation (Zhan and Peng, 2014, pp. 281–282).

Violence in Media and Violence in the Real World

In terms of the relationship between violence in the media and violence in the real world, a dominant view tends to believe that exposure to violence in the media will increase the risk of aggressive behavior. Most Chinese people seem to share this view, and when similar killings

occur successively and are reported by journalists, they usually criticize the media fiercely and believe that the media encourage violence and incite people to crime (Zhan and Peng, 2014, pp. 303–304).

On the other hand, some researchers believe that although there is a kind of correlation between violence in the media and violence in the real world, this correlation is negative, and not positive; that is to say, violence in the media could reduce the amount of violence in the real world. Those who hold this view developed the idea called "symbolic catharsis." According to this doctrine, exposure to violence in the media can make an angry or frustrated audience give vent to their feelings, so that they are unlikely to exert aggressive behaviors after viewing violent images in the media.

Others argue that there is no relation between violence in the media and violence in the real world. They believe that even though the two are relevant, there is no direct correlation between them as some people imagine. Prof. Éric Maigret, a French scholar, argues that rather than making real-world violence, media are often used by murderers to construct their own violent world to meet their horrible imagination, thinking that they can be recognized from now on (Maigret, 2009, p. 33).

In China, few books on violence in the media have been published. Professor Long Yun conducted several empirical researches, and published them as a monograph. Professor Long investigated the conditions of public security, the "media reality" the audience contacted, and ordinary people's fears of the local conditions of public security in Lanzhou, Shanghai and Beijing. Her conclusion is that for the broadcasting and viewing of prime-time TV programs, there were no significant differences among the "media realities" in these three city-areas. But differences in the real-world conditions of public security were quite significant. The trend of the audience's fear is consistent with that of the local conditions of public security. Professor Long concluded that in these considerably different regions, the media had limited influence on the audience's cognition of public security. Rather than the media's description, people preferred to rely on their cognition of actual local conditions to construct their own understanding of public security (Long, 2005, p. 187).

CONCLUSION: RICH MEDIA, POOR ETHICS?

Since the "Reform and Opening to the Outside World," China's media, traditional and new, have become much stronger. They have had great and broad influence on society, and have shown their economic dynamics with some big media being good at making big money. On one hand, to some extent, China's media have contributed to social development and progress; on the other hand, they themselves have accumulated a lot of problems.

One of the problems is that, with the passing of traditional morals and ethics in the post-Mao era, rapid economic development coupled with the weakest rule of law, have led to widespread corruption among political and business fields, and inevitably spread to the media world. Both the authorities' old-fashioned propaganda and undue control, and unhealthy political and commercial forces, have made many journalists frustrated. These are the fundamental external causes of excessive corruption in China's media.[2] Some ofthem have lost journalistic ideals and turned to other goals and personal interests. A few of them have even degraded themselves to rent-seeking by way of news for money. Section 2 of this chapter reveals and criticizes several kinds of immoral phenomena in the media world.

Since the whole society and media world are highly corrupt, it is very difficult to solve such serious immoral problems in the media world. The combination of a tyrant regime and a market-oriented economy, although it made some miracles, has generated so many internal and

external ills that it has produced what I call the most corrupt press in the world (Wong, 2015). Just like political corruption, there are two basic types of media corruption: extortive and collusive corruption (Bruneti and Weder, 2003). While the first type is related to media morals, the second one refers to both media morals and criminal activity. What we usually focus on is the latter, because it is explicit and easy to be exposed. However, it is a pity that we pay less attention to the former in our research due to the hidden nature of collusive corruption.

On the other hand, China's news media has attracted many talented young people to work for it. They are good at learning from new theories and lessons, domestic and foreign; they work hard and add much luster to the profession. Furthermore, China's news media has also greatly benefited from the progress of journalism education and higher education as a whole. Professor Clifford G. Christians' classic textbook, *Media Ethics: Cases and Moral Reasoning* (Christians et al, 2016), has been translated into Chinese, and the minds of future journalists are broadened in their studies and application of the principles of media ethics. In both the media world and academic circles, there are more and more discussions and research results. The last section of this chapter explores several hot topics on media ethics, and in this respect, the Chinese people are a quick study.

NOTES

1. Every year dozens of journalists from these media are put under sentence.
2. According to Reporters Without Borders, a Paris-based NGO, the Press Freedom Index of China has been among the worst ten countries since 2002. The index for 2015 for China was 175 out of 180 countries and regions (see http://en.wikipedia.org/wiki/Press_Freedom_Index).

REFERENCES

Bertrand, Claude-Jean. (2006). *Media Ethics and Accountability Systems*. Trans. Song Jianxin. Beijing: Commercial Press. (in Chinese).

Bruneti, Aymo and Beatrice Weder. (2003). "A Free Press Is Bad News for Corruption." *Journal of Public Economics*, 87, 1804.

Chang, Ping. (2007). "Yang Lijuan Event and the Media's Question of China." *Frontiers Magazine*, No. 4. (in Chinese).

Chen, Lidan (2008). *Ten Lectures on Journalistic Theories*. Shanghai: Fudan University Press.

Chen, Lidan. (2009). "Adnews: Illegal Collaboration of Advertisers and Media." *Southeast Communication*, No. 10. (in Chinese).

"China's New Revolution." (2005). *Time*, June 23, cover story.

Christians, Clifford, Mark Fackler, Kathy Richardson, and Peggy Kreshel. (2016). *Media Ethics: Cases and Moral Reasoning*, 10th ed. New York: Routledge.

Guo, Zhenzhi and Jiang Zhan. (Eds.). (2006). *Keep Watching the Society: The Limitation of TV Undercover Interviewing and Hidden Cameras*. Beijing: China Broadcasting Publishing House. (in Chinese).

Hu, Jintao. (2008). "An Address to the Staff of *People's Daily.*" *People's Daily*, June 21. (in Chinese).

Huang, Xiuli. (2010). "Journalist Reveals Official's Corruption by Way of Undercover Interviewing: Right Behavior or Fishing?" *Southern Weekend*, March 13. (in Chinese).

Jia, Yue. (2005). "Let 'A Reporter Saving a Life First' Not Become News." *Journalism Lover*, No. 7.

Liu, Xing. (2014). "Witness to Second Instance of Association of World Luxuries Vs. *Beijing News*." *China Youth Daily*, August 15. (in Chinese).

Long, Yun. (2005). *Television and Violence: An Empirical Study of Cultivative Effects of Chinese Media*. Beijing: China Radio and TV Publishing House. (in Chinese).

Maigret, Éric. (2009). *History of Communication Theories: A Sociological Perspective*. Beijing: Communication University of China Press. (in Chinese).

McChesney, Robert M. (1999). *Rich media, Poor Democracy: Communication Politics in Dubious Times*. Urbana: University of Illinois Press.

Patterson, Phillip and Lee Wilkins. (2001). *Media Ethics: Issues and Cases*, 4th ed. Boston, MA: McGraw Hill.

Wang, Dingding. (2007). "Social Conditions of Decent Journalism." *Caijing Magazine*, August 6. (in Chinese).

Wei, Yongzheng. (2007). "Correspondence on 'Trial by Media'." July 14. http://yzwei.blogbus.com/logs/6682650.html. (in Chinese).

Wei, Xiao. (2007). "How to Avoid Intrusion into Grief in News Reporting." *Journalist*, No. 2 (in Chinese).

Wong, Edward (2015). "CCTV, China's Propaganda tool, Finds Itself at Center of Antigraft Drive." *New York Times*, February 13. www.nytimes.com/2015/02/14/world/asia/cctv-china-central-television-corruption.html?_r=0

Wu, Ye (2008). "Discussing 'soft Articles' in Present Media." *Journalistic Front*, No. 2 (in Chinese).

"Xi Jinping Travels Icognito, Taking a Taxi at Evening Rush Hour in Beijing" (2013). *Ta Kung Pao*, April 18. (in Chinese).

Zhan, Jiang and Guibing Peng. (2014). *Media Morals and Ethics: Case Teaching*. Beijing: Communication University of China Press. (in Chinese).

Zhao, Dengyan. (2009). "Shooting a Disaster with a Camera Is Redemption for Life." *China Youth Daily*, June 10. (in Chinese).

Zhou, Ze. (2004). "Judgment by Public Opinion, a Scale of Justice: Reflection on 'trial by Media' and 'public Opinion Trial'." *Journalist*, No. 9 (in Chinese).

15

Perspectives on Pornography Demand Ethical Critique

Wendy Wyatt and Kristie Bunton

It takes no more than a cursory review of the literature on pornography to discover the very deep divides that permeate attitudes about the practice. Scholarship on pornography—from the political, psychological, sociological, legal, economic, religious, and, of course, ethical traditions—reveals that pornography has been hotly contested for years. And the debate shows little sign of ending. Like other disputed issues, most perspectives on pornography have come to represent one of two polarized positions: the strident anti-porn view and the equally strident anti-censorship view.

Part I of this chapter examines the state of scholarship on pornography framed around the two polarized perspectives. Within Part I, we include a discussion of the competing views, and we lay out various definitions of pornography for consideration. (None of those definitions includes child pornography, which we believe is beyond the justification of any moral system and which has long been deemed illegal and thus excluded from any constitutional protections for expression.) In Part I, we also summarize the actions and reactions that each side has pursued to further its agenda. Part II explores why we contend that perspectives on pornography demand ethical critique and raises issues that we believe need to be considered in any discussion of pornography's ethical implications.

PART I: THE POLARIZATION OF PORNOGRAPHY

Anti-Pornography Activists and the Call for Legal Remedies

The anti-pornography position, also called the absolutist position, began developing in the 1970s when anti-pornography feminists formed an unlikely partnership with moral conservatives to work toward a common cause: increasing prosecutions under existing obscenity laws and introducing new laws against pornography. For moral conservatives, pornography threatens "the family and the moral fabric of society" (Berger, Searles, & Cottle, 1991, p. 1). Anti-pornography feminists, on the other hand, claimed that pornography reifies the traditional gender order and causes harm to women.

In the 1980s, as the gender order in the real world was being challenged but representations of that order via pornography remained stagnant, the feminist emphasis on pornography became axiomatic (Hardy, 2000). From the anti-pornography perspective, this emphasis can be illustrated

through three events. The first represents the views of anti-pornography feminists; the second gives a nod to the feminist position but more than anything highlights the views of moral conservatives; and the third demonstrates that the two positions—while fundamentally different—have, in many instances, merged.

Anti-pornography Feminism

Central to the anti-pornography feminist perspective is the belief that pornography is a male discourse that helps naturalize hegemony, which is characteristic of women's oppression. According to anti-pornography feminists, the primary social sphere of male power resides in the area of sexuality (MacKinnon, 1982), and so "the ways and means of pornography are the ways and means of male power" (Dworkin, 1981, p. 24). Women, on the other hand, are victims, the "objects" of a cycle of abuse that has pornography at its center.

For anti-pornography feminists, pornography is not only a form of misogyny and coercive sexuality, it is a system of sexual exploitation and female sexual slavery and a method of socialization that causes and perpetuates acts of violence against women. Pornography does nothing less than defines who women are based on the way men see them (Berger, Searles, & Cottle, 1991). These forms, systems, and methods that help us define "woman" exist not only as fantasy or a mere idea, but rather as sexual reality; anti-pornography feminists claim that pornography is "a concrete, discriminatory social practice that institutionalizes the inferiority and subordination" of women to men (p. 37). The representational practices of pornography, therefore, become indistinguishable from actual sexual practices, and gender power imbalances are further naturalized.

In the 1970s, anti-pornography feminists formed groups such as the San Francisco-based Women Against Violence in Pornography (1976) and New York-based Women Against Pornography (1978), both of which organized local demonstrations and protests. But their cause gained national exposure in 1983 when Andrea Dworkin and Catharine MacKinnon introduced an anti-pornography civil rights ordinance in Minneapolis. Until that time, pornography was legislated only if it met the definition of obscenity as set forth by U.S. Supreme Court Chief Justice Warren Burger in the 1973 *Miller v. California* ruling. This obscenity test had three conditions:

> (a) whether the average person, applying contemporary community standards would find that the work, taken as a whole, appeals to the prurient interest, (b) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law, and (c) whether the work, taken as whole, lacks serious literary, artistic, political, or scientific value (Gunther, 1991, p. 1109).

For Dworkin and MacKinnon, obscenity laws did not suffice. Pornographic words and images were not only *about* subordination, they themselves *subordinated*. Whether or not they met the legal requirements of obscenity, pornographic words and images could have no value because they could not be used in non-derogatory ways. (Tirrell, 1999, p. 228). The proposed ordinance, therefore, defined pornography as a practice that discriminates against women, and it gave women the option of civil suit against those whose involvement with pornography caused them harm.

Under the ordinance, pornography was defined as "the graphic sexually explicit subordination of women, whether in pictures or in words, that also includes one or more of the following" (Gunther, 1991, p. 1127):

> (1)Women are presented as sexual objects who enjoy pain or humiliation; or (2) Women are presented as sexual objects who experience sexual pleasure in being raped; or (3) Women are presented as sexual objects tied up or cut up or mutilated or bruised or physically hurt, or as

dismembered or truncated or fragmented or severed into body parts; or (4) Women are present-
ed in scenarios of degradation, injury, abasement, torture, shown as filthy or inferior, bleeding,
bruised, or hurt in a context that makes these conditions sexual; or (6) Women are presented as
sexual objects for domination, conquest, violation, exploitation, possession, or use, or through
postures or positions of servility or submission or display.

(p. 1127)

The Minneapolis City Council twice passed the ordinance, and the mayor twice vetoed it. In
1984, a similar ordinance was introduced in Indianapolis. This time, the ordinance did pass at the
city level but soon after was declared unconstitutional in Federal District Court and reaffirmed as
unconstitutional on appeal in the Seventh Circuit Court of Appeals and then in the U.S. Supreme
Court (Berger, Searles, & Cottle, 1991).

The justification Indianapolis offered for passing the ordinance—and a premise the appellate
court accepted even while striking down the ordinance—was the claim that pornography *affects*
peoples' thoughts and actions. People often act in accordance with words and images to which
they are exposed. Men who see women depicted as subordinate are more likely to believe these
women are subordinate and treat them as such (Gunther, 1991, p. 1129).

ANTI-PORNOGRAPHY MORAL CONSERVATIVES

The "harmful effects" argument used by anti-pornography feminists is also one familiar to moral
conservatives. In fact, this group put pornography's harmful effects front and center during hear-
ings for the 1986 Attorney General's Commission on Pornography, more commonly known as
the Meese Commission. But for moral conservatives, the harm of pornography is not the subor-
dination of women but pornography's potential for causing sexual lust and sexual acts that lead to
the disintegration of society's established institutions, particularly those of marriage and family.

President Ronald Regan established the commission, and Attorney General Edwin Meese
appointed its 11 members, seven of whom had taken previous public stands against pornography.
The commission's official charter was to "determine the nature, extent, and impact on society
of pornography in the United States, and to make specific recommendations to the Attorney
General concerning more effective ways in which the spread of pornography could be contained,
consistent with constitutional guarantees" (Final Report of the Attorney General's Commission
on Pornography, 1986, p. ix).

This was not the first commission to investigate such issues. In 1970, the Commission on
Obscenity and Pornography concluded that no anti-social effects resulted from pornography.
However, following the release of the 1970 report, the U.S. Senate passed a resolution con-
demning it, and President Richard Nixon warned about permissive attitudes toward pornography,
claiming they would threaten our social order and moral principles (Kendrick, 1987, p. 219).

During 14 months in 1985 and 1986, the Meese Commission brought forth scores of wit-
nesses to testify in more than 300 hours of public hearings and business meetings. Most heavily
represented among the witnesses were law enforcement officers and spokespeople from conserv-
ative anti-pornography groups, although social scientists, representatives of the anti-pornography
feminist position, and a handful of civil libertarians and anti-censorship feminists were also given
an opportunity to speak. Although the traditional religious-conservative view of pornography
dominated the beliefs of most of the 11 commissioners, members also attempted to draw on
feminist discourse and social science research in order to "modernize" their own moralistically
based anti-pornography position (Vance, 1986).

The Meese Commission's goal in looking to social science research was to refute the research cited by the 1970 commission, and in some ways it did. At the end of the section on "Social and Behavioral Science Research Analysis" in the Meese Commission's final report comes a brief subsection titled "An Integration of the Research Findings." The subsection states:

> It is clear that the conclusion of "no negative effects" advanced by the 1970 Commission is no longer tenable. It is also clear that catharsis, as an explanatory model for the impact of pornography, is simply unwarranted by evidence in this area, nor has catharsis fared well in the general area of mass media effects and anti-social behavior.

This is not to say, however, that the evidence as a whole is comprehensive enough or definitive enough. While we have learned much more since 1970, even more areas remain to be explored (Final Report of the Attorney General's Commission on Pornography, p. 289).

The Meese commissioners were unable to agree on a definition of pornography, but they did identify four classes of sexually explicit images: (1) images that are violent, (2) images that are not violent but degrading, (3) images that are not violent and not degrading, and (4) images that portray nudity but are not sexually explicit. According to the commissioners, existing social science evidence showed clear negative effects with the first two classes of images (Berger, Searles, & Cottle, 1991).

The second modernizing perspective—feminist discourse—became the one from which the commission eventually drew most heavily. However, this discourse came not from well-known anti-pornography feminists such as Dworkin, but rather from anecdotal evidence provided by "victims of pornography." One of the commission's most famous victims was Linda Marchiano (formerly Linda Lovelace of the movie *Deep Throat*), who testified about the "sexual coercion and moral decadence" pervasive in the pornography industry (Berger, Searles, & Cottle, 1991, p. 26). These stories ended up trumping the arguments of Dworkin and other anti-pornography feminists who had always argued against obscenity laws, claiming they reflected "a moralistic and anti-sexual tradition which could only harm women" (Vance, 1993, p. 37). Given the commission's conservative constituency and agenda, it would never attack obscenity laws. Therefore, while the commission "happily assimilated the rhetoric of anti-pornography feminists, it decisively rejected their remedies" (p. 37).

The commission's nearly 2,000-page final report claimed that the pre-eminent harms caused by porn were not sin and immorality, but rather violence—violence to women, to men, to children, to homosexuals, to marriage and to families. The commission gave 92 recommendations for increased enforcement of obscenity laws as well as the passage of new laws (Vance, 1993). The commission also called for local citizen action groups to "canvass local bookstores and newsstands for offensive items, report [them] to the police, monitor prosecutions and sentencing, and organize demonstrations and boycotts" (Vance, 1986, p. 81).

The Melding of Anti-pornography Positions

At the end of the 1980s, the anti-pornography position had orchestrated two major efforts. The proposed civil rights ordinances represented the values of one group—anti-pornography feminists—while the Meese Commission largely symbolized the values of another—moral conservatives. Although the two groups began by proposing different tactics and opposing remedies, and even though their fundamental beliefs were poles apart, this unlikely duo continued to cross paths when the 1980s ended. In some cases, the tactics, remedies, and fundamental beliefs of the two groups became less distinct.

In 1992, for example, anti-pornography feminists were successful in temporarily shutting down an art exhibit about prostitution at the University of Michigan. The exhibit, which included several documentary films created by women, was commissioned as part of a conference titled "Prostitution—From Academia to Activism" (Vance, 1993). While the conference was supposed to feature competing views, some participants from the anti-pornography perspective refused to participate if the exhibit stood.

What critics of the threatened boycott pointed out, however, is that much of the material in the films had esthetic, intellectual, and political merit; the films were decontextualized when they were called porn (Vance, 1993). The result was that the campaign of the anti-pornography feminists aligned with moral conservatives in their use of the term "pornography" to describe any material with sexual content or a theme the viewer could find objectionable (Vance, 1993). According to at least one anti-censorship feminist, the Michigan case "shatters the illusion that restricting sexual imagery for feminist purposes is distinguishable from fundamentalist censorship—either in method or consequence" (¶ 21).

ANTI-CENSORSHIP ACTIVISTS AND THE ARGUMENT FOR RESIGNIFICATION

If the anti-pornography position emerged as a response to pornography and its harms, anti-censorship groups such as the Anti-Sexism Campaign and Feminists Against Censorship formed largely as a response to anti-pornography activism. Although the anti-censorship perspective has not garnered as much public attention and media coverage as the anti-pornography position, according to some scholars, it tends to hold higher academic ground (Hardy, 2000). This anti-censorship position includes both anti-censorship feminists and civil libertarians, and it puts forth two primary arguments: pornography has potential benefits, and censorship has real harms.

Civil libertarians flatly reject regulation of pornography as illegal and unethical infringement by government or pressure groups. The American Civil Liberties Union states, "Censorship, the suppression of words, images, or ideas that are 'offensive,' happens whenever some people succeed in imposing their personal political or moral values on others" (ACLU, ¶ 1). The ACLU bases its rejection of censorship on two fundamental principles in First Amendment law. First is content neutrality, which holds that government cannot censor expression merely because it offends. "In the context of art and entertainment, this means tolerating some works that we might find offensive, insulting, outrageous—or just plain bad" (ACLU, ¶ 5). The second principle is that of imminent harm. As the ACLU states, "Expression may be restricted only if it will clearly cause direct and imminent harm to an important societal interest" (¶ 6). According to the ACLU's position, censorship of pornography must be rejected under this principle because "no causal link between exposure to sexually explicit material and anti-social or violent behavior has ever been scientifically established, in spite of many efforts to do so" (¶ 9).

The ACLU's president, Nadine Strossen, has gone so far as to suggest that feminists have a special obligation to reject censorship of pornography. Strossen suggests censorship of pornography is essentially paternalistic and harmful to women who earn their living as sex workers or who wish to explore their sexual identities. Further, she suggests censorship of pornography harms relatively powerless groups such as feminists and lesbians.

> As is true for all relatively disempowered groups, women have a special stake in preserving our system of free expression. For those women who find certain 'pornographic' imagery troubling, their most effective weapon is to raise their voices and say so.
>
> (Strossen, 1994, p. 243)

The first response that anti-censorship feminists make to those who seek to restrict pornography is that women's victimization has been overemphasized. Most women, they say, would call most of their sexual experiences consensual (Berger, Searles, & Cottle, 1991). The problem is that sexually expressive women have come to be seen as victims of male propaganda and male violence. If women enjoy sex—and they don't hide it—they are viewed as expressing men's sexuality. Anti-censorship feminists are, therefore, fighting for women's freedom of sexual investigation and expression (Assiter & Carol, 1993).

What's more, anti-censorship feminists argue, simply removing words and images does nothing to change the larger culture. Questions ought to be asked about the roots of a culture that is so hostile to women. How, for example, did men achieve their symbolic power over women, and how can this be changed? For anti-censorship feminists, pornography is not violence and does not cause violence; instead, that violence is a symptom rather than a source of women's oppression (Hardy, 2000). Alison Assiter and Avedon Carol are two leading figures in the feminist anti-censorship movement who claimed that before anti-pornography activism began, "it would have seemed ludicrous to treat pornography or sadomasochism as anything other than, at worst, mere symptoms of sexist culture, and sheer time-wasting to attack those supposed symptoms while leaving the causal foundations of sexism unremarked" (Assiter & Carol, 1993, p. 8). Yet, they maintain, this is exactly what the anti-pornography movement has done.

What's needed, then, is "free and unfettered erotic expression" because that expression is the "best means for the diverse transformation of the hegemonic form" (Hardy, 2000, p. 79). Pornography, anti-censorship feminists maintain, can serve as a tool of discourse.

> It is only because censorship was reduced and the language of sexuality became a common part of our ordinary lives that we were able to spread the word on sexual issues, publish the insights of our own consciousness-raising groups, read women's own descriptions of the parts of our bodies that polite society kept hidden and secret, and begin to understand the extent to which the sex dualism had robbed us.
>
> (Assiter & Carol, 1993, p. 4)

The attitude that derogatory words and images may have some redeeming value has led anti-censorship feminists to be described as reclaimers. Pornography, they say, can be reclaimed, resignified and, in turn, given liberating—rather than subordinating—power (Tirrell, 1999).

This liberating power has already been demonstrated by some of the new forms of pornographic expression produced by women. The Black Lace series of "domesticated porn" is one example of a product line written by women and marketed to women, although critics point out that the owners are still men (Ciclitira, 2004). Other companies, however, are owned and run by women. Former pornography star Candida Royalle formed Femme Productions, and her plot-oriented films featuring portrayals of older women, mothers and married couples provide "an emotional context and motivation for sex" (Berger, Searles, & Cottle, 1991, p. 45). Pornography from a woman's perspective can also be found on Internet sites run by women for women and in the growing selection of lesbian pornography, which features women writers, producers and directors. The idea behind all these endeavors is that "porn does not always perpetuate male power over female bodies" (Ong, 2005, ¶ 8). And these new forms of pornography, along with the more "traditional" materials, are not turning women away. In the United States, for example, women buy an estimated 40 percent of adult videos (Gibson, 2004, p. 60).

Another benefit of pornography relates to our need for fantasy. Many anti-censorship feminists tend to subscribe to a psychoanalytic theory of pornography as fantasy, a fantasy that is

otherwise denied cultural expression (Hardy, 2000). Lynne Segal, for instance, claims that relations of domination and submission connect to oedipal and pre-oedipal desires, and "psychoanalytic readings suggest a way of understanding the bizarrely 'pornographic nature of our fantasy life'" (Segal cited in Hardy, 2000, p. 85). This focus on pornography as fantasy that emerges from psychic forces has been "expedient" for anti-censorship feminists because it makes the "erotic preoccupation with power seem less threatening and politically problematic" (Hardy, 2000, p. 85). Critics of this view, not surprisingly, argue that taking refuge in a purely psychoanalytic account ignores compelling cultural issues.

Finally, a key critique by anti-censorship feminists of those who advocate restrictions is that the harms of censorship are far worse than the harms of pornography. While anti-pornography feminists (but not necessarily moral conservatives) want to make a distinction between objectionable pornography and acceptable erotica, it is impossible, anti-censorship feminists argue, to define where to draw the line. That line, therefore, becomes arbitrary, and moralistic prudery often prevails. What the distinction usually amounts to is something like Ellen Wills' sarcastic description: "What I like is erotica, and what you like is pornographic" (Wills cited in Assiter & Carol, 1993, p. 28). With definitions as flexible as this, anti-censorship feminists warn that even sex education materials could be deemed pornographic and therefore restricted. What's more, anti-censorship feminists such as Judith Butler argue that censorship further marginalizes those who are already marginalized (Hardy, 2000). The anti-pornography position shows an indifference to class privilege and a lack of concern for sex workers.

In the end, anti-censorship feminists and civil libertarians claim that their anti-pornography counterparts reject the interpretive schemes that demonstrate the complexity and ambiguity of sexually explicit images as well as viewer responses (Vance, 1993). In response, anti-pornography feminists and moral conservatives question how people who claim a feminist position and concern for the plight of women can be so reluctant to criticize a practice that clearly produces harm.

PART II: AN ETHICAL CRITIQUE OF PORNOGRAPHY

The Problem with Polarization

For more than 30 years, two diametrically opposed positions on pornography have almost entirely controlled the discourse about it. Anti-pornography feminists and moral conservatives act to regulate pornography, and anti-censorship feminists and civil libertarians then react. The debate has assumed an almost circular identity as the same arguments surface and resurface time and time again.

The opposing positions of the moral conservatives and civil libertarians are relatively clear, and the roots of both positions have can be traced to unambiguous foundational ideas. However, the arguments presented by feminists are messier; each side of the pornography debate has appropriated the idea of "feminism" to help make its case. This made the debate within feminism highly politicized—so politicized, in fact, that Carol Clover called pornography "the feminist issue" of the 1990s (Gibson & Gibson, 1993, p. 1). In more aggressive terms, Assiter and Carol called the debate within feminism a "sexual battlefield" (1993, p. vii).

Arguments presented by anti-pornography feminists and anti-censorship feminists are clearly important, and when analyzing the landscape of the pornography debate, both positions deserve commendation as well as criticism. Anti-pornography feminists—along with their moral conservative partners—recognize and speak against a practice that has distinct potential for harm

and one that has helped perpetuate the hegemonic order. But their proposed remedies fail to address the culture of hostility toward women and often end up actually attacking women. On the other hand, anti-censorship feminists—together with civil libertarians—recognize that our culture, rather than pornography, is the source of women's oppression, and they are cognizant of the real harms of censorship. But in making their arguments, anti-censorship advocates appear unwilling to offer any critique of hegemonic heterosexual eroticism; in making their claims for resignification, they fail to speak to the *signification* and the harms produced by pornographic images and texts.

Anyone with an interest in the ethics of pornography will come across much from the two polarized positions before ever discovering the voices that argue for something beyond—or perhaps between—the strident positions of the anti-pornography and anti-censorship activists. When these voices do emerge, however, they make an important point: The polarized camps' attempts to advance their own arguments ignore complexity in the issues surrounding pornography.

The first complication involves people—particularly women—who are conflicted about pornography. The same women can both defend pornography based on personal pleasure and criticize it based on political ideas. Likewise, some women may use pornography as a tool to explore their sexuality but resist being complicit in it. In a series of semi-structured interviews conducted by British psychologist Karen Ciclitira in 2004, women reported that the negative politicization of pornography exacerbated "guilt, shame and confusion about their own sexuality" (Ciclitira, 2004, 297). One of Ciclitira's subjects described the conflict like this:

> I have this real porn dilemma, which is probably why I've never been into it in a *big* way anyway, because half of me wants to look and um explore and desire and, and go as far as I can go, an and another half of me is *very* aware that the people who *make* those kinds of images films, or whatever, are maybe *not* doing it out of a *free* choice, an I and I know, I'd like to think that I am aware of that, and so because I don't want to support an industry that is you know er abusing people, then I don't want pornography, but because I want to explore my own sexuality, I want to reassure myself about my own sexuality. I want to explore my own potential then, I do want it. So I have this kind of half of me does and half of me doesn't thing, the whole time I'm, I'm watching it.
>
> <div align="right">(pp. 292–293, emphasis in original)</div>

Just as many women have come to believe that enjoying pornography and being a feminist are incompatible, the same can be said about men who enjoy pornography but are committed to an egalitarian relationship with a female partner. The men are apt to either reject pornography because of its symbolic subordination of women or retain it as a guilty secret. This conflict over pornography has led both women and men to believe they must choose between their erotic pleasures and their ethical commitments (Hardy, 2000).

A second complication involves social scientific effects research. Both anti-pornography and anti-censorship feminists make claims to it, but, in fact, the findings cannot be completely allied with either camp. The bulk of social science research into pornography has been conducted in experimental settings and has focused on men's attitudes and behaviors. It has also tended to favor a distinction between strictly sexually explicit materials and materials that combine sexual themes with violence or degradation toward women (Scott, 2004, p. 295). A leading scholar in the study of pornography's effects, Daniel Linz, said if we know anything about antisocial behaviors that stem from exposure to pornography, it is that "1) for the average person, the message of violence as pleasurable to the woman must be present for negative effects to occur; and 2) for other forms of pornography, the effects are an interaction between personality characteristics and exposure" (Linz, 2004, ¶ 13).

A seminal study by Linz, Edward Donnerstein and Steven Penrod (1984) involved showing male college students films that were either sexually explicit, sexually explicit and violent, or not sexually explicit but violent. The study concluded that the men who viewed films that were only sexually explicit showed no negative effects. Conversely, men who saw films depicting violence toward women in a sexual context—whether the films were sexually explicit or not—viewed women as significantly less worthy as people. Britain Scott (2012, p. 341) noted that other experiments involving men have yielded similar findings.

> Exposure to sexually violent material increases men's sexual callousness toward women and lowers their support of sexual equality (e.g. Zillmann & Bryant, 1982), desensitizes men to violence against women and increases men's acceptance of rape myths such as "all women secretly want to be raped" (e.g., Malamuth & Check, 1981), and increases aggression toward women in the laboratory.
>
> (e.g. Donnerstein & Berkowitz, 1981)

Similar negative effects have been found for men's exposure to degrading material—that which contains male dominance, female availability, penis worship, female insatiability, or objectification of women (Scott, 2004). Again, however, material that is sexually explicit but non-degrading has not led to the same negative attitudes and behaviors. Once research moves out of the laboratory, the effects of sexually explicit materials are "almost certainly a joint function of the personality characteristics of the individual who seeks out such materials and of exposure to such materials per se" (Linz, 2004, ¶ 15). Beyond pornography use, factors such as family violence, delinquency, attitudes supporting violence, sexual promiscuity, and hostile masculinity can all correlate with sexual aggression against women (Malamuth, Addison, & Koss, 2000.)

Most psychological research on pornography focuses on men's responses to material designed for men. In recognizing the limits of this approach and responding to the growth of sexually explicit material geared toward women, some researchers such as Ciclitara have begun to investigate women's responses to pornography. Scholars have included women participants in experimental studies and have collected women's accounts of their experiences with pornography. Experimental research on women and pornography shows that women tend to respond more positively to sexually explicit material made for them than materials designed for men. When that material includes violent or degrading words or images, women respond less positively. The experimental research, however, does not have much to say about how pornography might directly harm women (Scott, 2012).

Moving beyond the laboratory, accounts of battered women's experiences with pornography show that "pornography is associated with many cases of sexual violence and that from the perspective of these women, pornography suggested ways to harm the women and was, itself, part of the harm inflicted upon them" (Scott, 2004, p. 300). Women in non-abusive relationships have also talked about their experiences with pornography, explaining that their partners' use of pornography has affected their views of their partner, of their relationship, and of their self-esteem and sexual desirability (Scott, 2012).

What does the effects research mean for the anti-pornography versus anti-censorship argument? Anti-pornography feminists habitually point to a causal relationship between pornography and violent behavior, but they run the risk of overstating the argument. Although pornography can be associated with violence, the causal link has not been established. What's more, a good deal of sexually explicit material is neither violent nor degrading and cannot be connected to violent behavior. Conversely, anti-censorship feminists readily point to the dubiousness of studies conducted in artificial settings and the lack of definitive effects. Likewise, they note that recent

studies have exonerated non-violent pornography and that research should explore material in the media that is violent but not sexual, which anti-censorship feminists claim is a much greater problem with more substantiating evidence.

AN ALTERNATIVE APPROACH

With problems evident in the two polarized positions on pornography, perhaps it's time to put more effort into seeking voices that call for a different response and introduce alternative views. One voice already circulating is that of British sociologist Simon Hardy (2000), who has called for an ethical critique of pornography that works within rather than against eroticism. Hardy recognizes the need for critique that is so evident in the anti-pornography position but also the commitment to and desire for expression that comes out strongly in the anti-censorship view. In developing his critique, Hardy looks to the work of Anthony Giddens and his claim that in our times, the realm of intimacy has been transformed into a site of moral and political negotiation where sexuality plays a special role in the ongoing reformation of gender relations and self-identities. The social structural domain of gender where principles of equality are generally upheld operates in stark contrast to the symbolic domain of the erotic where representations have been associated with a particular form of hegemonic heterosexuality in which the power of men over women is "tirelessly presented as the natural condition of heterosexual pleasure" (Hardy, 2000, p. 88). Hardy argues that, in theory, eroticism could be used "to bind fast *any* configuration of gender: conventional or unconventional, symmetrical or asymmetrical," but until new ways of representing heterosexuality emerge, many are "forced in a real sense to choose between erotic pleasures and ethical commitments" (pp. 88–89).

For Hardy, the "revolution which is elsewhere transforming gender relations" needs to move into the erotic realm and fill the gaps between the real hegemonic practice of current erotica and the ideal version of egalitarian erotic discourse (p. 89). This would be an eroticism that exulted love of equals; it would naturalize and help institute a counter-hegemonic heterosexuality founded on the modern principle of equality. This is resignification with a critical eye; it shares the commitment to expression that the anti-censorship position champions but brings with it the skeptical perspective of the anti-pornography position. Here skepticism of eroticism is retained "even as we engage with it and in it" (p. 92).

CONSIDERATIONS FOR AN ETHICAL CRITIQUE

Hardy's approach to pornography—one that allows for erotic expression but also employs strategies of critique—is, in our minds, a more ethically defensible approach than either the unyielding anti-pornography or anti-censorship positions. Legal remedies are not the answer. In addition to serving as only Band-Aids that cover up symptoms but fail to treat the disease, legal remedies could never draw a clear line between acceptable erotica and unacceptable pornography. What's more, texts and images that are not sexually explicit per se but contain themes of sexual degradation or sexualized violence have begun flooding the media. The "everyday pornography" on network television—think *Law & Order: Special Victims Unit*—contains texts and images that are allowed on the public airwaves but that fit many criteria shown by social scientists to be associated with troubling attitudes and behaviors by those who consume them.

If pornography is to remain within legal bounds, however, it must not go uncriticized. Incorporated into an ethical critique should be several considerations. First, the critique must refuse

to politicize the literature on effects; the social scientific research must be seen for what it is. As research on Internet pornography use begins to emerge, this imperative becomes even more important. While it is certainly clear that the Web has introduced a new medium for pornography—one with a global reach and one that certainly raises new questions about the potential harms of pornography—the temptation to exaggerate or take out of context effects of viewing Internet pornography must be resisted. Consider, for instance, this testimony given in November 2004 by Dr. Judith Reisman, president of the Institute for Media Education, before a U.S. Senate subcommittee on the science behind pornography addiction.

Thanks to the latest advances in neuroscience, we now know that pornographic visual images imprint and alter the brain, triggering an instant, involuntary, but lasting, biochemical memory trail, arguably, subverting the First Amendment by overriding the cognitive speech process. This is true of so-called "soft-core" and "hard-core" pornography. And once new neurochemical pathways are established they are difficult or impossible to delete (Reisman, 2004, ¶ 2).

In response to Reisman's claim that "media erotic fantasies become deeply imbedded, commonly coarsening, confusing, motivating and addicting many of those exposed" (¶ 3), Daniel Linz argued that, in fact, many powerful images leave strong memory traces, and Reisman's claim that pornography is somehow unique is without credible evidence. Linz added that the notions of pornography addiction generally and on-line sex addiction particularly are "highly questionable to most scientists" (Linz, 2004, ¶ 5).

In addition to representing the social scientific research fairly, an ethical critique of pornography should also encourage more research on the variety of reactions that both heterosexual and lesbian women of all classes, races and ages may have to pornography produced by both men and women. As research continues to move out of the artificial conditions of the laboratory and becomes more inclusive of women's perspectives, a more sophisticated understanding of the nuances behind the use of pornography should emerge that will better inform the critique.

Beyond taking into account how social scientific research informs our thinking about pornography, an ethical critique must consider new questions and challenges introduced by technological innovations. Emerging technologies have led not only to the global phenomenon of Internet pornography, but to the ability to digitally manipulate or even digitally create it. Does it matter, for instance, if someone or something portrayed in a pornographic image isn't real?

The business of pornography is another important topic for consideration. While pornographic content has received much attention, an ethical critique must be all-encompassing; it must address the entire process from writing and production to marketing and distribution. Germaine Greer has argued that pornography has nothing to do with freedom to express images; it is, rather, a business that "uses and abuses those who provide the imagery but also the fantasy-ridden sub-potent public, mostly male, that pays for its product" (Greer cited in Ciclitira, 2004, p. 298). While the analysis may not work in all instances, the condemnation is worthy of reflection.

The proliferation of everyday pornography was mentioned earlier as a challenge to instituting legal limits, but it is worth mentioning again under the umbrella of an ethical critique. Today's ever-evolving digital media technologies make access to pornographic material easy. Pornography users no longer have to buy "dirty" magazines or patronize "adult" theaters. Instead, users simply search online and view pornography websites that repeat recorded sex acts and lack even the pretense of a plot that pornographers used to employ to claim some erotic artistic merit for their films. Users also can find sites that use webcams to provide live pornographic performances and thus cement links between pornography and prostitution (Watson, 2019).

It's clear that most of the concern about pornography centers around the treatment of women by men. Anti-pornography feminists speak of the subordination of women through pictures and words, and anti-censorship feminists respond that these derogatory images and words can and

should be reclaimed. Neither group would refute that many pornographic texts are misogynous. But what about words and images that degrade men? Sadomasochistic books and videos—one of pornography's most popular genres—feature plots in which females are dominant, in which "men perform as objects, or as virtual sex slaves to women" (Assiter & Carol, 1993). Here the tables are turned, and the message becomes not one of misogyny but misandry. An ethical critique of pornography must take into account the instances where hate is inflicted by women onto men.

Finally, an ethical critique must raise the question of whether the meaning of pornography changes if its texts are co-defined by men and women together. Feminists on both sides of the pornography debate would agree that the primary social sphere of male power now resides in the area of sexuality. Does *pornography* become simply *erotica* when the hegemonic nature of the texts' production and content becomes a more egalitarian, relational enterprise?

In the end, it may be impossible to convince either moral conservatives or civil libertarians of the merits of an approach to pornography that allows for expression but also mandates critique. But for the feminists, perhaps there is hope. In fact, examples of nuanced ethical critiques have emerged from scholars such as A.W. Eaton (2007), who calls for a "sensible antiporn feminism" that limits itself to sexually explicit representations characterized by gender inequality—what Eaton calls inegalitarian pornography (p. 676)—and that is "both supported by a powerful intuitive argument and sensitive to the empirical data regarding pornography's effects" (p. 675). Within the rhetoric of both anti-pornography and anti-censorship feminists are important concerns that deserve to be heeded, and only a willingness from both sides to hear the claims of the other can bring with it an opportunity to both respect women and leave room for erotic pleasure.

REFERENCES

ACLU (American Civil Liberties Union). (2006, October 26). What is censorship? Retrieved from www.aclu.org/freespeech/censorship/26611res20060830.html

Assiter, A., and Carol, A. (1993). *Bad Girls and Dirty Pictures: The Challenge to Reclaim Feminism*. London: Pluto Press.

Berger, R. J., Searles, P., and Cottle, C. E. (Eds.). (1991). *Feminism and Pornography*. New York: Praeger.

Ciclitira, K. (2004). Pornography, women and feminism: Beyond pleasure and politics. *Sexualities*, *7*(3), 281–301.

Donnerstein, E., and Berkowitz, L. (1981). Victim reactions in aggressive-erotic films as a factor in violence against women. *Journal of Personality and Social Psychology*, *41*, 710–724.

Dworkin, A. (1981). *Pornography: Men Possessing Women*. New York: Perigee.

Eaton, A. W. (2007). A sensible antiporn feminism. *Ethics*, *117*(4), 674–715.

Final Report of the Attorney General's Commission on Pornography (1986). Nashville, TN: Rutledge Hill Press.

Gibson, P. C. (Ed.). (2004). *More Dirty Looks: Gender, Pornography and Power*. London: British Film Institute.

Gibson, P. C., and Gibson, R. (Eds.). (1993). *Dirty Looks: Women, Pornography and Power*. London: British Film Institute.

Gunther, G. (1991). *Constitutional Law* (12th ed.). Westbury, NY: The Foundation Press.

Hardy, S. (2000). Feminist iconoclasm and the problem of eroticism. *Sexualities*, *3*(1), 77–96.

Kendrick, W. (1987). *The Secret Museum: Pornography in Modern Culture*. New York: Viking Press.

Linz, D. (2004). Response to Testimony before the United States Senate, Subcommittee on Science, Technology, and Space of the Committee on Commerce, Science and Transportation on The Science Behind Pornography Addiction. www.freespeechcoalition.com/dan_linz.htm Retrieved October 19, 2006.

Linz, D., Donnerstein, E., and Penrod, S. (1984). The effects of long-term exposure to filmed violence against women. *Journal of Communication*, *34*, 130–147.

MacKinnon, C. (1982). Feminism, Marxism, method, and the state: An agenda for theory. *Signs*, *7*, 515–544.

Malamuth, N. M., Addison, T., and Koss, M. (2000). Pornography and sexual aggression: Are there reliable effects?. *Annual Review of Sex Research*, *11*, 26–91.

Malamuth, N. M., and Check, J. V. P. (1981). The effects of mass media exposure on acceptance of violence against women: A field experiment. *Journal of Research in Personality*, *15*, 436–446.

Ong, J. S. (2005). Parsing the perverse. *Book review of More Dirty Looks: Gender, Pornography and Power*. Available at www.latrobe.edu.au/screeningthepast/reviews/rev_18/JObr18a.html Retrieved Aug. 17, 2006.

Reisman, J. (2004, November 18). Testimony before the Subcommittee on Science, Technology and Space of the Committee on Commerce, Science and Transportation on The Science Behind Pornography Addiction. http://commerce.senate.gov/hearings/testimony.cfm?id=1343&wit_id=3910 Retrieved October 19, 2006.

Scott, B. A. (2004). Women and pornography: What we don't know can't hurt us. In J. C. Chrisler, C. Golden, and P. D. Rozee (Eds.), *Lectures on the Psychology of Women* (pp. 292–309) (3rd ed.). Boston, MA: McGraw-Hill.

Scott, B. A. (2012). Women and pornography: What we don't know can hurt us. In J. C. Chrisler, C. Golden, and P. D. Rozee (Eds.), *Lectures on the Psychology of Women (pp. 338–355).* Grove, IL: Waveland Press.

Strossen, N. (1994). A feminist critique of 'The' feminist critique of pornography. In D. E. Lively, D. E. Roberts, and R. L. Weaver (Eds.), *First Amendment Anthology* (pp. 235–243). Cincinnati, OH: Anderson Publishing. (Reprinted from *Virginia Law Review*, 79 (5), pp. 1099-1190, August, 1993).

Tirrell, L. (1999). Pornographic subordination. In C. Card (Ed.), *On Feminist Ethics and Politics (pp. 226–243)*. Lawrence, KS: University Press of Kansas.

Vance, C. (1986). The meese commission on the road. *The Nation*, *24*(3), 76–82.

Vance, C. (1993). Feminist fundamentalism: Women against images. *Art in America*, *81*(9), 35 (4), 76–82. Retrieved from InfoTrac OneFile, June 29, 2006.

Watson, L. (2019). A defense of a sex equality approach to pornography. In A. Altman and L. Watson, *Debating Pornography (pp. 151–295)*. New York: Oxford University Press.

Zillmann, D., and Bryant, J. (1982). Pornography, sexual callousness, and the trivialization of rape. *Journal of Communication*, *32*(4), 10–21.

16

Violence

Patrick Lee Plaisance

How many close-up depictions of executions does it take for an action feature film to make an aesthetic point? Two? Five? Ten? In the 2019 production, "John Wick: Chapter 3—Parabellum," part of the successful Keanu Reeves franchise, try 35 or 40. With such a relentless stream of visual mayhem, violent drama may drive ticket sales, but it inevitably dulls the senses. And all that blood may even render any question of media ethics trivial or beyond our grasp. How could it not, when, as one reviewer noted, "watching John Wick shoot people in the head starts to weirdly resemble a gardener misting orchids with a spray bottle"? (Barker, 2019). But kudos to Andrew Barker for raising the issue of ethics anyway. He continues:

> [W]atching 'John Wick 3' is an exercise of pure aesthetic desensitization—the violence we see here is entirely removed from the reality of pain, or suffering, or fear, or desire, or triumph, or loss. It means nothing to any of the characters, its consequences are never felt, and it fills almost every inch of the frame for huge uninterrupted stretches. And when that disassociation is so complete, you start to ask yourself questions that you normally wouldn't. Namely, why am I watching this?
> (Barker, 2019)

Many behavioral researchers and media ethicists would applaud Barker's effort to challenge the value of the aesthetics of violence in Hollywood productions. More than three decades of rigorous research has compellingly documented the negative effects of violent media content on certain populations and how exposure to such content appears to contribute to aggressive and antisocial behavior. And while free-speech and commercially driven interests tend to override other considerations in the public discourse, the field of ethics provides numerous ways not only to ask important questions of ethics when it comes to violent media content, but to understand key ethical concepts so that we can talk more compellingly about our obligations as moral beings in the media world. Clear ethical thinking about the nature of respect, duty, harm and accountability, as applied to both media consumers and producers, can help turn moral claims that strike many as unrealistic and ineffective into a more useful framework with which to critique violent media content. This chapter will provide a brief survey of the research documenting the effects of violent media content on audiences, discuss the nature of the potential harm posed by such content, and suggest ways to more effectively incorporate ethics theory into our responses to violence in the media.

PATTERNS OF VIOLENT CONTENT

Policymakers, researchers, and politicians began expressing concern over the effects of violent television content in the 1950s. In the early 1970s, researchers estimated that by the age of 14, the average child witnessed more than 11,000 murders on television (Bartholow et al., 2003, p. 4). But a 1995 study showed that the average American child witnessed more than 10,000 violent crimes *each year* on television (Signorielli et al., 1995). This trend of ever-prevalent violent content continues despite pledges by industry groups to actively monitor and limit violent content. The Network Television Association vowed to do so in 1992. In 1993, the National Cable Television Association condemned the "gratuitous use of violence depicted as an easy and convenient solution to human problems" and vowed to "strive to reduce the frequency of such exploitative uses of violence" (Bartholow et al., 2003, p. 4). Regardless, levels of violent content have remained high. For prime-time programming, television audiences witness on average five violent acts per hour, and 20 times per hour on so-called children's programming (Strasburger and Wilson, 2002). By 18 years of age, the average young person will have viewed an estimated 200,000 acts of violence on television alone, according to the 2009 report of media violence by the American Academy of Pediatrics. Similarly, research has documented that nearly 40 percent of 10- to 15-year-olds have been exposed to violent scenes online (Ybarra et al., 2008).

VIOLENCE IN TELEVISION AND MOVIE ENTERTAINMENT

Violence is a staple of television and movie fare. But several studies of television violence have shown frequencies and levels of violent TV content to be quite stable over the last few decades—and in some cases even decreasing (Gerbner et al., 1994, as cited in Comstock and Scharrer, 1999, p. 66). But those frequencies—and several compelling contextual factors—are sobering. Overall, 57 percent of television programming features violent content. Of that, 73 percent contain scenes in which the violence is unpunished, 58 percent feature violence without showing any signs of pain, and 39 percent contain violent scenes that include humor (National Television Violence Study, 1996). Regarding what's on the local movie theater screen, violence dominates in a similar way. The percentage of PG-rated films that have come out of Hollywood has steadily declined. There is more violence in G-rated films than ever before (Yakota and Thompson, 2000).

Researchers have only recently begun exploring the implications of violent experiences with immersive virtual environment technology (IVET), such as combat situations where participants "shoot" targets and dodge bullets. VR has become a staple of military training and has demonstrated effectiveness in helping military veterans overcome post-traumatic stress disorders (Rothbaum et al., 2010), though other research has shown that the intensity of VR experiences may be linked to more aggressive behaviors (Persky and Blascovich, 2007).

VIOLENCE IN VIDEO GAMES

The overwhelming majority of children play video games daily or weekly. More than 70 percent of teens play video games, according to a 2015 survey. About 15 percent of young men entering college play at least one hour of video games per day in an average week (Cooperative Institutional Research Program, 1999). In the early 1990s, one study found that 85 percent of the most popular video games were dominated by violent themes or content. Researchers also have found

that such overwhelmingly violent games were the favorites of young children; in 1996, research-ers reported that by far, large majorities of fourth-grade girls and boys said their favorite games were violent ones (Buchman and Funk, 1996).

VIOLENCE IN NEWS

Crime is a staple of television news. According to Graber (1996), nearly half of all the news items covered in tabloid news magazine shows dealt with crime-related stories. On "Dateline NBC," "60 Minutes," and other similar network news shows, one of every four items is crime-related. Overall, research has documented that nearly 65 percent of television news and 25 percent of print news is devoted to stories of crime and violence (Schildkraut, 2013, p. 272). Studies on television crime news over the last two decades have all shown the same pattern: Focus is consist-ently on crimes such as burglary and homicide instead of white-collar offenses, on crimes against people and less on those involving property; and most coverage is focused on initial stages of accusation and investigation and not on the later stages of prosecution and sentencing (Comstock and Scharrer, 1999, p. 126).

Audiences also are confronted with graphic images that raise important ethical questions. Most of the time, these images from war, terror attacks or public clashes are shown as a result of careful behind-the-scenes deliberation by editors and producers who are keenly sensitive to the danger of offending or alienating audiences. And generally, American audiences never see the kind of raw, often gruesome effects of violence found in African, Asian and European news outlets. Nonetheless, questions of empathy fatigue and desensitization are important ones to ask in such cases.

EFFECTS OF VIOLENT CONTENT

Decades of experimental and survey research have painted a compelling picture of the negative effects of violent media content. In 1969, the National Commission on the Causes and Preven-tion of Violence concluded that "violence in television programs can and does have adverse effects upon audiences" (cited in Bartholow et al., 2003, p. 4). In 1972, the report by the Sur-geon General's Scientific Advisory Committee on Television and Social Behavior concluded that "there is a causative relationship between televised violence and subsequent antisocial behavior." Several credible organizations have gone on record over the last two decades in stating that media violence is one of the causes of aggression in society. These include the American Medical Association, the American Academy of Pediatrics, the American Psychological Association, the National Institute of Mental Health, the National Institutes of Health, and the American Academy of Child and Adolescent Psychiatry. In their survey of the research on effects of media violence, Sparks and Sparks (2002) concluded that "numerous reviews by researchers, professional asso-ciations and organizations all agree that exposure to media violence is causally related to aggres-sive behavior" (p. 273). For example, a two-year study of hundreds of German youth recently confirmed this pattern.

> The results of our study show that the more frequently children view horror and violence films during childhood and the more frequently they play violent electronic games at the beginning of adolescence, the higher will these students' violence and delinquency be at the age of 14.
>
> (Hopf et al., 2008, p. 79)

Since 1977, nearly a dozen "meta-analyses"—sophisticated statistical assessments that cluster different studies on the same topic to estimate the overall magnitude of relationships among variables—have been conducted with research projects that have examined questions of effects of violent media content. All of them

> make it irrefutably clear that children and teenagers who view greater amounts of violent television and movie portrayals are more likely to behave in an aggressive and antisocial manner …. This is an outcome that holds for all ages, both genders … and occurs across both experimental designs, where causation can be inferred, and nonexperimental survey designs, which produce data describing everyday occurrences.
>
> (Comstock and Scharrer, 2003, pp. 207, 222)

In one notable study, researchers following the viewing patterns of children in the United States and four other countries established a strong relationship between children's level of viewing and their aggressive behavior (Huesmann and Eron, 1986). About 60 percent of the children were tracked down 15 years later. The result? According to Huesmann (2005):

> [The] children's exposure to media violence between ages 6 and 9 correlates significantly with a composite of 11 different kinds of measures of their aggression taken 15 years later when they were 21 to 25 years old …. [T]hese results certainly add credence to the conclusion that childhood exposure to violence in the media has lasting effects on behavior through a high-level process of imitation in which cognitions that control aggressive behavior are acquired.
>
> (pp. 262, 264)

Critics of media-effects research and apologists for the television industry often cite the apparently low "effect size" produced by these studies—the correlational statistic that reports what percentage of an overall effect (i.e., aggressive behavior) can be attributed with confidence to a certain stimulus (i.e., exposure to media violence). The effect size of the best studies and meta-analyses, however, are *higher* than that of other public-health research programs that have resulted in proactive policy decisions to protect certain populations from identified threats. These include exposure to lead and IQ scores among children, nicotine patch adoption and smoking cessation, calcium intake and bone mass, homework and academic achievement, and women's self-examination and extent of breast cancer (Comstock and Scharrer, 2003, p. 217; Bushman and Anderson, 2001, p. 481).

Similarly, the negative effects of violent video gaming also have been documented over the last decade, followed by a chorus of voices calling for more responsible game development. "The evidence strongly suggests that exposure to violent video games is a causal risk for increased aggressive behaviour, aggressive cognition, and aggressive effects and for decreased empathy and prosocial behavior," according to a recent meta-analysis (Anderson et al., 2010, p. 151). A 2001 meta-analysis of research exploring the effects of violent video games also concluded that there is a correlation between video-game play and examples of aggressive behavior, but that the effect size is smaller than that found with television violence (Sherry, 2001).

Defenders of the television and movie industries also have long argued that violent content, instead of stimulating imitative acts and aggressive tendencies, actually provides a cathartic outlet. In one characteristic comment, legendary film director Alfred Hitchcock said, "One of television's greatest contributions is that it brought murder back into the home where it belongs. Seeing a murder on television can be good therapy. It can help work off one's antagonism" (Myers, 1999, p. 412). Extensive research, however, suggests that catharsis simply doesn't occur; there are dissenting views (Gunter, 1994; Signorielli, 1990), but the evidence "overwhelmingly

shows that media violence has quite the opposite effect than that which is predicted by catharsis" (Strasburger and Wilson, 2003, p. 78).

Researchers have found that very different cognitive and behavior modeling processes help explain both short-term and long-term effects of violent content in increasing the likelihood of aggressive behavior.

SHORT-TERM EFFECTS

Priming occurs when an observed stimulus serves to activate other neural activity that is associated with aggressive thoughts or behaviors. The excited "nodes" then may become more likely to influence behavior (Berkowitz, 1993). *Excitation transfer* refers to when, after a violent stimulus, a subsequent provocation may be perceived as more pronounced than it is because of the emotional response to the previous observed violence (Zillmann, 1983). *Imitation* refers to the natural tendency of children and young primates to imitate whomever they observe. The observation of specific aggressive behaviors around them increases the likelihood of children behaving in the same way (Bandura, 1977). Research by Berkowitz (1993) also suggests that children who have viewed a violent movie "are slower … to intervene" when they witness a fight erupting among other children (pp. 223–224). Infrequent playing of violent video games can activate aggressive thoughts, but these thoughts tend to "dissipate fairly quickly and are less likely to leave long-term traces in the brain" (Anderson et al., 2010, p. 155). However, it is unclear how heavy, sustained playing of such games might cultivate aggressive cognitive schemas that could affect behavior.

LONG-TERM EFFECTS

Children and young adults engage regularly in *observational learning* that can establish schemas about a hostile world, "scripts" for problem-solving that rely on aggression and general beliefs about the acceptability of aggression (Bushman and Huesmann, 2001). The General Aggression Model (GAM) proposes that aggressive behaviors are learned over time, and multiple, intense episodes of aroused hostile emotions contribute to the learning process. The model can be used "to help explain how repeated exposure to violent media … can lead to long-term desensitization, which subsequently influences increased aggressive behaviors" (Mabry, 2013, p. 41). *Desensitization* occurs over repeated exposure to violence so that innate negative responses to observing violence are tempered through habituation, and proactive aggression can become more likely. The theory of *cultivation* argues that people who are heavy television viewers will "cultivate" a view of the world that is much more crime-ridden and violent than it actually is (Gerbner and Gross, 1976). Gerbner and his colleagues have referred to the resulting effect as the "mean world syndrome."

APPLICATION OF ETHICS THEORY TO VIOLENT CONTENT

Shortly after Miramax released *Reservoir Dogs*, the modern-day gangster film debut by Quentin Tarantino, in 1992, film critic Stanley Kauffmann published a self-reflective review describing the movie as being "crammed with murders." More interesting, however, was the acclaimed film critic's rumination on the use and prevalence of violence in movies in general. The movie clearly made Kauffmann stop a moment and think about the effects of violent content on audiences.

But his moment was fleeting, and his review remained stuck on relatively derivative questions of aesthetics—at one point, Kauffmann wondered whether Tarantino, Hollywood's latest star director, didn't simply make the film just because he could—whether *Reservoir Dogs* was produced "just for the sake of its making, the application of style to sheer slaughter."

"Adjustment to changing values is the prime law of the twentieth century," Kauffmann wrote, "but once in a while a film comes along that makes me imagine that everyone has a mental compass on the subject of violence and that I must tap mine to make sure it's not stuck" (1992, p. 31). It is both unsurprising and unfortunate that Kauffmann typed "mental compass" instead of "moral compass." Far be it from a prominent film critic to question or challenge the effects of such gratuitous bloodletting on moral grounds. Even his "tapping" seems to be understood as an exercise in righteous futility: Kauffmann never hints at what the compass actually tells him. The implication is that, in our violence-soaked media culture, only the gesture of conscience matters. Our considered response as moral agents, as long as we continue to watch, does not. Yet research suggests we need to take the relationship between violent media content and ethics much more seriously. Some social science scholarship has suggested that exposure to violent media content is related to less-advanced stages of moral reasoning: "[W]hen violence is portrayed as justified (versus unjustified), perspective-taking abilities may be hampered. This is because depictions of justified violence generally focus only on satisfying retributive concerns and minimize the salience of pain and suffering caused by retribution" (Lewis, 2013, p. 136).

Violence is a serious ethical issue, Clifford Christians said, because "it violates the persons-as-ends principle" that constitutes the cornerstone of our moral obligations, according to Kant and other theorists (2004, p. 28). When we are clear about the legitimate reasons *why* types of violent content are so ubiquitous—whether as attention-getting techniques for largely commercial purposes or as valuable artistic depictions or honest efforts to reflect its occurrence in society—then we can minimize muddied thinking and self-validating ideological exchanges, and instead more effectively exercise our moral compass and bring to bear the full power of ethics.

VIOLENCE: AESTHETIC CLAIMS

Violent content is defended and justified on artistic grounds when such depictions serve to help carry out an aesthetic vision of our world. Art helps us make meaning of our variegated existence. Violence is part of the natural and human realm. To reflexively denounce violent depictions as never justifiable stunts the aesthetic needs of all of us, threatens to sanitize reality, and reduces art to either an exercise in cheap sentimentalism or to a propagandistic tool The fullness of the Aristotelian enterprise of the virtuous life is denied. From this perspective, one could say that the function of the artistic impulse, and the maintenance of its integrity, requires access to the brutal as much as it does to the divine. Our diverse moral sensibilities and prioritization of values, of course, mean that the boundary between artistic integrity and gratuitous gore is continually contested—hence the moralistic claims and the "mental compass" moments of Kauffmann and the rest of us over *Reservoir Dogs* and other provocations. If we keep in mind the deliberative essence of ethics, we see that it is in this debate that our Aristotelian selves live and breathe.

While a life of virtue implies an openness to life's rich pageant as we search for our zones of moderation and manifest our moral agency in social action, artistic integrity requires a Kantian imperative of freedom. Even in the context of the effects research surveyed above, a censor's impulse to limit or "cleanse" film and video depictions of violence can threaten to undermine the capacity for reason and the exercise of free will that all humans require. Our moral obligation to respect and cultivate both is central to Kant's system of moral agency.

VIOLENCE: JOURNALISTIC CLAIMS

"If it bleeds, it leads." This cynical adage signals a key element of news, particularly for broadcast media. Stories featuring crime, suffering, tragic loss and shattered lives exploit our primal human impulses of surveillance and dramatic narrative. Stories involving violence rarely get old for journalists because they promise compelling verbal and visual images that never fail to draw and hold audiences, which translate into high ratings. Moreover, they are obligatory if journalism is to carry out one of its core functions of public service by representing the march of human events in all its dimensions. To sanitize reality by minimizing or marginalizing the presence and intensity of violence would be both hypocritical and paternalistic. Michael Ignatieff (1997) and other theorists argue that modern forms of ethnic conflict, such as in Bosnia and Rwanda, demand that journalists become moral witnesses who must insist that such atrocities be given special attention. Yet most journalists are keenly aware of the fine distinction between unflinching reportage and rubber-necking voyeurism. How much violence and how much graphic gore is too much are questions that constantly dominate reporter and editor listservs and journalistic websites. Even though individuals may complain of being confronted with unwanted or offensive images in the news, the broader journalistic imperative to provide an unsanitized view of the world usually defines decisions behind the use of graphic photos. It is even a central part of the journalistic emphasis on justice, suggests theorist Teju Cole:

> Conflict photography arises out of a huge set of moving variables that in unpredictable but unignorable ways help make the demands of justice visible. Taking photographs is sometimes a terrible thing to do, but often, not taking the necessary photo, not bearing witness or not being allowed to do so, can be worse.
>
> (Cole, 2018)

Characteristic was the debate among journalists around the world struggling to decide just how much to show of the brutal attacks on American security contractors in Fallujah, Iraq, in March 2004. Many news organizations relied on narrative descriptions of the charred bodies being dragged through the streets and strung up on bridges; video clips showing them never made it on the air at most broadcast outlets, and were relegated to websites that featured advisory warnings. Yet in 2009, the Associated Press drew the wrath of the U.S. Secretary of Defense for publishing photographs of the moment a Marine on patrol in Afghanistan was struck by a rocket-propelled grenade. The embedded photojournalist later defended her decision, noting that none of the Marine's squad members objected when they previewed her pictures. "An image personalizes that death and makes people see what it really means to have young men die in combat," Julie Jacobson wrote. "It is necessary to be bothered from time to time" (2009).

Readers and viewers also are served daily buffets of crime-related stories and stories focusing on violent aftermath because they so easily fit the twin journalistic imperatives of newsworthiness and expediency. In an environment of constant deadlines, journalists are often simply in a *reactive* mode, focusing and reporting on the latest *consequences* of decisions, acts and policies on various individuals or groups. Violent events are often the result of something—of a regional or ethnic conflict, of psychological and social disorders, of failed diplomatic efforts. Investigating the *causes* of violent outcomes is more difficult and often requires much more time and resources. Additionally, media sociologists also have shown that the news decisions of television news producers are often driven by "good visuals" (Abbott and Brassfield, 1989). Stories that come with compelling visuals and footage will get airtime; more difficult stories, which often do not lend themselves to visual storytelling (i.e., the Enron scandal) will either receive late

or marginal attention or none at all. Crime news also is extremely cheap to produce; all that is required is a police scanner, a TV truck, and a camera. This insistence that all news be visual, as well as the fixation on consequences rather than on causes, constitutes two of the four distorting forces of television as a news medium, Ignatieff argues. The other two are television's "artificial constraints" of the 30-minute format—"The time disciplines of the news genre militate against the minimum moral requirement of engagement with another person's suffering" (1997, p. 29)— and television's tendency to commodify human tragedy:

> A dishonor is done when the flow of television news reduces all the world's horror to identical commodities. In a culture overwhelmed by the volume of promiscuous representation, there must be some practice by which the real—the instant when a real body is struck, abused or violated—is given a place of special attention, a demarcation that insists that it be seen.
>
> (p. 30)

And yet, we also know that journalists' efforts to tug at heartstrings by writing emotionally compelling stories or running searing images also can trigger empathy fatigue and what Ignatieff called moral disgust. Audiences, feeling helpless in the face of tragedy, can throw up their hands and disengage. In one recent study, people watching news programming of violent events reported more negative feelings, such as anger, sadness, and disgust (Unz et al., 2008). So the journalistic debate continues.

VIOLENCE: ECONOMIC CLAIMS

As we have seen, values of artistic integrity and journalistic autonomy are given significant weight in our deliberation over the ethics of violent media content. But the game changes when the justifications for violent content leave either of these arenas and the *motive* for using violence can be described another way. When the rationale becomes based on economic or marketing claims, the thinness of any ethical justification for its use is thrown into stark relief. The commonly used justifications for the use of violence may present compelling economic, financial or marketing arguments, but these cannot be mistaken for *ethical* arguments when they fail to take into account how the use of media violence does or does not serve our moral obligations. Indeed, one might argue that, from an epistemological perspective, ethics theory and its focus on negotiating among competing, *legitimate* moral claims would suggest that there is little to discuss in this realm: While we may claim that gratuitous and commercially-motivated use of violent content represents a moral failure, it doesn't actually provide much of an ethical dilemma at all. "Gratuitous cheapening of life to expand ratings, in terms of Aristotle's teleological model, is a reprehensible misuse of human beings as means to base ends," Christians suggested (2004, p. 28). In his 1994 book, *Selling Out America's Children*, Walsh discusses how television programming and advertising, two key influences in American culture today, work together to shape our values. The top priority for media executives is to draw audiences that they can reliably deliver to advertisers promoting their products. We see pervasive messages that include sex, violence and humor because those topics, or frames, reliably capture audience attention. So it is no surprise that researchers and policymakers have concluded that media executives are consequently creating programming that depends largely on images and contexts that trade on violence, sex and the enshrinement of consumerism. "In this respect, media executives are profiting from a product that is unhealthy for those who consume it, particularly children" (Walsh, 1994, p. 10).

Violence is a consistently reliable and effective marketing tool because it attracts the attention of male adolescents, which is a demographic segment that is intensely sought after by advertisers. Violent content presents a more universal language compared with "complex, dialogue-based stories" and is easier to produce (Groebel, 2001, p. 255). Gerbner, Morgan and Signorielli (1994) argued that violent content is prominent in global or exported media because it requires very little verbal translation, whereas humor, despite its value as an attention-getting tool, often is culture-bound and difficult to translate.

Some studies suggest, however, that violent entertainment content, while effective in drawing eyeballs, actually may undermine the friendly, receptive "environment" that companies want media outlets to provide for their advertising. From a media economics perspective, in other words, addiction to violent fare as an attention-getting tool may become self-defeating. Gerbner concluded that "the most highly rated programs are seldom violent" (cited in Hamilton, 1998, p. 32). Hamilton (1998) reported that when theatrically produced movies are shown on television along with warnings about content (for violence, nudity or language), "broadcasters run more network promotions and fewer general ads, consistent with the theory that warnings cause advertiser pullouts that lower prices" (p. 165). Other more compelling recent research has suggested that strong viewer emotional response to violent content—specifically, anger—actually interferes with viewer ability to recall advertising embedded in the content (Bushman and Phillips, 2001).

The very prevalence of media violence can serve to discourage and trivialize any exploration of the issue's ethical dimension. If research was able to document a "positive" cathartic effect, how might that allow us to argue that violent depictions intended to provide a relatively innocuous method of "venting" one's stress or aggression is justified in terms of ethical use of media? We might say such a utilitarian description of violent content spares society actual (read: greater) harm that may otherwise occur without such a social release valve. We might say that the harm inherent in the actual media content is outweighed by the existence of a positive public effect. But even if a cathartic effect of media violence were demonstrated to exist, we would not so easily be able to justify such content on the grounds of expediency if in fact it offered a cinematic repudiation of our duty of non-injury. We are well-aware that the means we use to accomplish our goals say as much about us as the ends themselves. The use of the theory of utility itself here raises other problems, which will be discussed later, regarding how we articulate public good and how the theory invites a reliance on gross generalizations rather than a serious consideration of how we might weigh competing values.

MEDIA VIOLENCE AND OUR MORAL AGENCY

It is useful to consider how ethics theory helps us clarify the stakes involved in violent content and its effects that we have outlined here. Ethics helps us "delineate responsibility" among various stakeholders, as Christians said; it enables us to press the question of "whether producers of violent entertainment can dismiss their responsibility by claiming to give the public what it wants" (2004, p. 28). Developing a credible *normative* ethics theory remains difficult due to the demands of media practitioners' daily problems and routines and the predominance of rather simplistic utilitarian conventions and guidelines. But the preceding survey of the research documenting the effects of violent media content provides evidence that a deontological, duty-based approach is more effective in our efforts to develop an ethical framework with which to judge violent content, rather than a consequentialist approach.

DIMENSIONS OF HARM POSED BY VIOLENT CONTENT

Even as using a duty-based moral framework provides a more effective way to judge the ethics of using violence in media content, it is still valuable to have a firm grasp of the nature of the potential harm that can result. As we have seen, the question of whether violent media content has an effect is no longer a serious one. And the existence of such effects does not necessarily raise a question of ethics. To be considered a compelling ethics question we must determine the relative *harmfulness* of those effects. Some dimensions, or forms, of this harm may be readily apparent: the priming potential of some violent cues to foster endorsement of antisocial behavior in children, for example, could clearly be said to pose a legitimate harm. Research also has suggested that men who watch pornographic material are likely to express "desensitized" attitudes toward women (Harris, 1994; Traudt, 2005). Theorists also have long argued that advertising that sexualizes, marginalizes and generally devalues women as objects is harmful because it undermines girls' self-esteem by promoting impossible and restrictive norms of beauty and femininity (Myers and Biocca, 1992; Silverstein et al., 1986). In these and other cases, the claims of harm are much more concrete and significant than mere claims of being offended by violent or sexual content. It can be argued that, in these areas, research strongly suggests that actual "harm" has indeed occurred. Others may be less concrete or verifiable: How much violence against women can be directly attributed to the objectification and hypersexualization of young women in advertising?

Several theorists have been concerned about building a universal framework for moral responsibility for the assessment of harm and justifying standards about the "blameworthiness" of anyone who chooses not to prevent harm. Harris (1973), for example, claimed that to discover that a person is morally responsible for external harm is to discover that she is both causally responsible for it and morally to blame. Consequently, we must use a definition of harm that is more specific than the way many armchair media critics may understand it. The National Television Violence Study, among the most comprehensive studies to track the content of televised programming, offered the following definition of violence:

> Any over depiction of a credible threat of physical force or the actual use of physical force which is intended to harm or intimidate an animate being or group of animate beings. Violence also includes certain depictions of physically harmful use of such force intended to physically harm an animate being or group of consequences against an animate being or group that occurs as a result of unseen violent means. Thus there are three primary types of violent depictions: credible threats, behavioral acts, and harmful consequences.
>
> (1998, p. 41)

Potter (1999) explored what he called the "profound" difference between what the public considers violent and how researchers conceptualize violence. The public often express outrage and concern when audience members are "shocked" or "offended" by what they see—what registers most viscerally with many viewers is the *graphicness* of the media violence. This is why many parents do not seem to be concerned with violence in children's cartoons, even though research has documented that such cartoons feature some of the highest rates of violence found in the media. While the public is concerned with being shocked by what they watch, scientists are concerned whether certain audiences will be harmed by what they watch, regardless of whether it can be called shocking or not (Bartholow et al., 2003, p. 4). Indeed, using terms such as "shocking" or "graphic" as measures of violent content denies the long-term cultivation and desensitization processes that researchers have recorded.

HARM AND THE INADEQUACY OF UTILITARIAN THEORY

Though the conventions of media practice may have a "natural affinity" with utilitarian approaches, as Christians said, the theory elaborated on by John Stuart Mill and which has become the basis for much of our majoritarian democratic policy making is arguably ill-suited for guiding ethical deliberations of media practitioners. The limitations of Mill's approach point up a general failure of utilitarianism to account for fundamental injustices or address how unequal distribution of goods and wealth raise questions about moral agency. Utilitarianism goes wrong, Arneson argues,

> in regarding only aggregate totals or averages of welfare while ignoring altogether the value of equal distribution of welfare among persons …. [I]t is polemically slanted insofar as it highlights harmonious, rosy possibilities and ignores equally likely but more troublesome cases which pose acute conflicts of distribution.
>
> (Arneson, 1997, pp. 87, 92)

This objection also reflects a more general problem with Mill's overall argument for his theory of utility in guiding decision-making. Having as our object the achievement of the greatest benefit for the largest number of people is clearly a noble thing. And Mill, in his efforts to build a usable framework to help ensure a harmonious social life, never lets us understate or dismiss the centrality of individual freedom as a driving value. But the devil, for most utilitarian theorists, has always been in the details—in the practical application of Mill's abstract claims. Who determines the nature of the potential harm involved? How are we defining "benefit," and is our focus on the short term or on the long term? Noting the work of Charles Taylor, Christians said utilitarianism certainly is very appealing in part because of its promise to provide a single principle to help us adjudicate conflicts. But the abstractness of the theory of utility leaves practitioners grappling—often unproductively—with fundamental questions about the nature of a supposed benefit, the exact membership of groups that may benefit or suffer from a decision, and whether immediate or long-term impacts are considered. In the end, the theory of utility offers an exactness that is not exact at all, representing only a "semblance of validity" as policymakers and potential stakeholders dismiss or marginalize whatever factors that cannot be quantified. Christians (2004) outlines several other deficiencies of utility:

> [Utilitarianism] depends on making accurate measurements of the consequences, when in everyday affairs, the results of our choices are often blurred, at least in the long term. In addition, utilitarians view society as a collection of individuals, each with his or her own desires and goals. Thus, institutions and structures are not analyzed in a sophisticated manner, and an atomistic, procedural view of democracy is presumed. Moreover, the principle of the greatest public benefit applies only to societies in which certain nonutilitarian standards of decency prevail.
>
> (p. 21)

The theory spelled out in Mill's famous *On Liberty* and other essays is understandably a landmark in social and political theory and undergirds much of our majoritarian democratic ideals, and rightly so. But Mill is much less useful in the realm of ethics because he invites blanket assumptions and gross generalizations on the kinds of key questions just mentioned. By maintaining such a high level of abstraction, Mill also discourages serious explorations into the various types and dimensions of harm. Indeed, his abstraction results in some significant contradictions, particularly when we try to apply his utilitarian framework to media behavior.

REFINING OUR CONCEPTION OF HARM

In his landmark work, *Harm to Others*, social philosopher Joel Feinberg builds a largely legalistic framework for properly understanding the notion of harm and how it should be handled by the law and the courts. He discusses various dimensions of "injuring" or "wronging" others and how different kinds of harm should be punished. According to Feinberg, a harm is an act or state that "sets back" the interest of someone else, such as her reasonable interest in her career, health, reputation, or privacy. This "setting back" of someone's interest has to be concrete—it has to be something that explicitly makes the person's state of affairs, or his or her ability to attain reasonable goals, worse off than if the act had not been done. And it must be something that "sets back" important desires, like raising a family or accomplishing a long-term project, and not more trivial interests such as seeing a movie or walking a dog. "Not everything that we dislike or resent, and wish to avoid, is harmful to us," Feinberg writes (1984, p. 45). "[It is critical that we distinguish] between the harmful conditions and *all* the various unhappy and unwanted physical and mental states that are not states of harm in themselves" (p. 47). Reflecting the various harms outlined in this chapter, ethicist Stephen Ward offers a useful typology of harms posed by media, delineating five separate types: physical harm, monetary harm, harm to reputation, psychological harm, and social harm (2011, pp. 186–187).

Behavioral research also suggests that largely negative effects of violent media content may pose an altogether different sort of harm because of the often unconscious way aggressive modeling can be imitated. As noted earlier, imitation is among the cognitive processes that researchers have pointed to as a likely cause of short-term effects of violent content on aggressive behavior. Heyes (2001, 2004), Meltzoff and Decety (Meltzoff, 2004, 2003) and other researchers have established how imitative learning processes, far from being the mindless, childlike repetition of actions scientists once thought, are elaborate methods of goal emulation with diverse "ends/means" structures. They are more complex than scientists once believed, yet they also are largely automatic. We don't think about them. Susan Hurley (2004) suggested the ethical implications of our exposure to violent media content are enormous. "Ironically, imitative tendencies that bypass autonomous deliberative processes may well be symptomatic of the way our distinctively human and rational minds are built," she suggested (p. 177). If this "deliberative bypass" occurs with regularity over a range of behaviors, there is no reason that imitative learning regarding the violence we see in the media should be exempt from it—whether we acknowledge this process or not. And that, Hurley argued, raises troubling questions about our autonomous agency as audience members.

If it is true, as recent cognitive-processing research has suggested, that we *have little or no control* over the negative effects of violent media content due to unconscious imitative-learning processes, does that provide compelling ethical grounds for limiting or restricting such violent content to ensure our autonomy? A Kantian approach might argue that the answer is yes: Actions that violate the persons-as-ends principle include those that undermine or subvert the exercise of our autonomous agency, or free will. Exposure to violent media content that triggers unconscious imitative behaviors could represent a failure of media producers' primary duty to respect every individual's free will and capacity for reason. Hurley, however, also adopts a utilitarian approach that draws on Mill's harm principle to promote similar moral claims. The results of research on imitative learning and its implication of audiences being involuntarily affected by violent content pose significant challenges to our assumptions about liberal political theory and human autonomy:

> Prevention of such harm to third parties provides a strong reason (or "compelling interest") for
> liberal government to interfere with violent entertainment, and is not effectively blocked by the

rationales for giving special protection to freedom of speech, since these are very weakly engaged by violent entertainment … The power of the media industry over the public should be compared to the power of government as a potential threat to autonomy. Moreover, as we've seen, there is good reason to believe that many effects of violent entertainment on audiences are unconscious and automatic and bypass autonomous deliberative process. Audience autonomy would arguably be increased, not decreased, if such influences were reduced.

(2004, pp. 189, 194–195)

MORAL PSYCHOLOGY FACTORS

As if the complexities of harm and media portrayals of violence weren't enough, any consideration of the ethics of media violence also needs to include dynamics of moral psychology. Our judgments about images we see are shaped by a host of psychological factors including our empathic tendencies, our internalized cultural norms, and perhaps even how we prioritize the idea of caring for others in our lives. Depictions of victims of violence may evoke empathic responses from many, but we know from years of research that the act of empathizing requires effort many people may not be willing to make. We all behave as cognitive and emotional "misers," calculating how much energy we're willing to spend to connect with others; personally relevant depictions of media violence may change this calculation for many of us. Research has shown that we often choose to avoid the distress associated with empathizing with others (Koole, 2009). More recent research has documented how, when given a choice to empathize with strangers, people tend to avoid empathy because of its perceived cognitive effort. "When given the opportunity to share in the experiences of strangers, people chose to turn away," researchers concluded (Cameron et al., 2019, p. 11).

Cultural norms also shape our response to, and thus the potential negative effects of, violent media content. For example, researchers have found that Japanese television content is similar to American content in terms of the amount of violence shown, and yet aggressive effects appear to be much less among Japanese audiences. One explanation may well be that Japanese TV tends to portray violent actions and their consequences much more vividly, with a particular emphasis on the suffering of the victims (Kodaira, 1998).

Finally, the way individuals and social groups prioritize the notions of harm and care in their moral judgments will likely shape responses to violence in the media. According to Moral Foundation Theory developed by Jonathan Haidt and colleagues, the moral systems of people across the globe tend to share five central "psychological systems" that drive the moral judgments; what distinguishes social and cultural groups is how each prioritizes these systems, analogous to how each is emphasized, or "turned up," like bands on a stereo equalizer (Graham et al., 2013). The five are Harm/Care, Fairness/Reciprocity, In-Group/Loyalty, Authority/Respect, and Purity/Sanctity. All five, the researchers argue, have an evolutionary component. As they describe the "Harm/Care" system, or "module":

[I]f all people have an emotional sensitivity to harm, particularly harm to the weak or vulnerable, and if people have language, then they are likely to develop a vocabulary for talking about their emotional reactions. They are likely to have virtue and vice words with which to praise and condemn people, and to instruct their children. Such virtue talk can then feed back to fine-tune the bounds and applications of the modules: Cultures can become expert in perceiving certain kinds of harms (e.g., sexual abuse or witchcraft).

(Haidt & Joseph, 2008, p. 383)

DUTY VERSUS CONSEQUENCE

There is a paradox in the linkage between the moral duties the best theorists have embedded in the communicative act—duties of transparency, of non-injury, of respect for the dignity of the individual and of the engagement of a public—and the consequentialist purposes that we understand such messages to have. Media messages are intended to advance ideas, to inform, to persuade, to provoke, to soothe, to stimulate, to narcotize: We want our messages to have an *effect*. When it comes to violent media content, nearly three decades of extensive research has made it clear: Certain viewers, with certain predispositions, will likely exhibit more aggressive behavior under certain conditions after repeated and long-term exposure to certain types of portrayals of violence. But as the string of preceding qualifiers suggests, this effect is highly nuanced, contingent and multidimensional. And neurologists and cognitive psychologists have just begun to understand the behavioral effects of much of our messages. They also are making clear how our reception and processing of messages is profoundly contextual and intersubjective. In this sense, our cultural tendency to look to a consequentialist ethical system for guidance, with its assumptions of clear, quantifiable and unambiguous results to point to, can seem to be quite absurd. Again, Christians (2004) provides a valuable perspective:

> In the full range of human relationships, we ordinarily recognize that fulfilling promises, preventing injury, providing equal distribution, and relieving distress are moral imperatives. But utilitarianism as a single-considerations theory renders irrelevant other moral demands that conflict with it. In some of the most crucial issues we face at present, utility is not an adequate guide—for understanding distributive justice, diversity in popular culture, violence in television and cinema, truth-telling, digital manipulation, conflict of interest, and so forth.
>
> (p. 22)

A straightforward consequentialist approach is more likely to exempt us from moral accountability than it is to clarify our moral responsibilities. The only acceptable approach is that which begins by acknowledging our moral duties to others as outlined by the works of Kant, Ross and others. Our ethical deliberations, then, will rightly focus on whether or not our communicative acts represent appropriate attempts to balance conflicting duties.

While we all acknowledge that we have a fundamental duty not to harm others if we're serious about our obligations as moral agents, "the fact that an act will cause harm is invariably a moral reason not to do it, though not necessarily an overriding one," theorists point out (McNaughton & Rawling, p. 432). This is one reason why moral philosopher W. D. Ross and his discussion of our often-conflicting *prima facie* duties can be helpful. While Mill never lets us underestimate the respect and weight owed to our idea of liberty, and Kant requires us to fully consider what it means to be morally obligated to treat others in certain ways, Ross illuminates how we may weigh competing obligations. "He allows us to think of moral conflict not as conflicts of duties but as a conflict of moral reasons," moral philosopher Philip Stratton-Lake says (2002, p. xxxviii). Ross is clear about the duties that we have, including avoidance of harm, but his system is largely dependent on context. Any broad generalizations about duty that do not sufficiently consider the facts of a specific case carry little weight in Ross's system. He cautions that it is a mistake to presume in any ethical deliberation that "every act that is our duty is so for one and the same reason." "[N]o act is ever, in virtue of falling under some general description, necessarily actually right; its rightness depends on its whole nature and not on any element of it" (Ross, 1930/2002, pp. 24, 33).

DIRECTIONS FOR FUTURE RESEARCH

Efforts to develop media ethics theory that draws from cognition research have only recently begun. As the field of media ethics continues to mature, theorists who are well-grounded in both duty-based and consequentialist approaches in moral philosophy will be invaluable in helping shape public debate and policy decisions regarding violent media content. If patterns of observed media effects hold true and as mediated images continue to pervade culture, questions of ethics, standards and responsibility will only increase in urgency and immediacy. Yet such social-science research and ethical theorizing seem to exist on tracks that rarely intersect. One philosopher recently noted the "irony" in the fact that research on aggression and violence has developed specific meanings around these words "independently of much reference to or involvement by philosophers" (Bäck, 2004, p. 219). This chapter has preliminarily raised questions involving our conceptions of autonomous agency, the multiple dimensions of harm and assignment of responsibility; each of these and other questions require further explication to broaden and deepen our understanding in the context of violent media content.

Clearly, media ethics theory must largely be built on the empirical evidence emerging from research on cognitive and behavioral effects if we are to avoid reductive exchanges and ineffective moralizing. Our ethical deliberation on questions of autonomous agency, dimensions of harm and responsibility must be rooted in the facts as we know them. As Hurley (2004) suggested, the largely unconscious way we appear to imitate behaviors raises fundamental questions about the *control* we can claim to have as media consumers. What value priorities, then, can we say should drive decisions of media producers about content and exposure? How might our "altered states" as autonomous agents affect how social and political theory, including the premium placed on utility, is brought to bear on our judgments regarding media exposure?

The research on negative effects of violent content also poses an important opportunity for media ethics theorists to clarify our understanding of the "harm" involved and how the different dimensions of harm affect the moral claims we can make. When can we say harm actually "sets back" a legitimate social interest or threatens to do so, and how might Feinberg's criteria for regulating such harm (1984) help us in our ethics theorizing? Ethicists also can draw on the disparate realms of cognition research and media sociology to explore how a distributive justice theory might shape our judgments on harmful media effects. Using the contractualist framework of Rawls (1971), ethics theorists could consider the validity of regulatory arguments based on protecting society's least advantaged or most vulnerable audiences and on the nature of the harm involved.

Christians (2004) focused on the responsibility issue; media ethics theory has much to contribute in "delineating responsibility" (p. 28), he claimed. There is no question of the need for ethicists to continue work to clarify the public debate over how to establish levels of responsibility among corporate media executives, producers, policy makers and audience members. But unidirectional claims of responsibility, particularly for media content, presuppose a rather simplistic understanding of the term. Compelling models of *accountability* are needed that harness the concept's "dynamic of interaction" between the claims of autonomous agents and their values (Plaisance, 2000).

Potter (2003) outlined several areas where more focused media-effects research is urgently needed: to try to further document types of effects other than "disinhibition" processes and fear responses; to produce more definitive assessments of long-term effects through longitudinal and panel studies; to explore positive, "prosocial" effects, which may in fact be stronger than the negative effects that have preoccupied researchers for three decades; to delineate types and degrees

of effects from violence in print, video and audio-based media. All of these areas include significant ethical dimensions that cannot be ignored if we are to take seriously ideas such as moral obligation, autonomous agency, non-injury and accountability.

REFERENCES

Abbott, E. A., & Brassfield, L. T. (1989). Comparing decisions on releases by TV and newspaper gatekeepers. *Journalism Quarterly*, *66*(4*)*, 853–856.

Anderson, C.A., Shibuya, A., Ihori, N., Swing, E.L., Bushman, B.J., Sakamoto, A., Rothstein, H.R., & Saleem, M. (2010). Violent video game effects on aggression, empathy, and prosocial behavior in eastern and western countries: A meta-analytic review. *Psychological Bulletin 136* (2), 151–173.

Arneson, R. J. (1997). Paternalism, utility and fairness. In G. Dworkin (Ed.). *Mill's 'on liberty': Critical essays*. Lanham, MD: Rowman & Littlefield.

Bäck, A. (2004). Thinking clearly about violence. *Philosophical Studies*, *117*(1–2), 219–230.

Bandura, A. (1977). *Social learning theory*. Englewood Cliffs, NJ: Prentice Hall.

Barker, A. (2019, May 10). Film review: 'John Wick: Chapter 3 – Parabellum.' *Variety*. Available: https://variety.com/2019/film/reviews/john-wick-3-review-film-parabellum-1203210529/

Bartholow, B. D., Dill, K. E., Anderson, K. B., & Lindsay, J. J. (2003). The proliferation of media violence and its economic underpinnings. In D. A. Gentile (Ed.). *Media violence and children*. Westport, CT: Praeger, 1–18.

Berkowitz, L. (1993). *Aggression: Its causes, consequences and control*. New York: McGraw-Hill.

Buchman, D. D., & Funk, J. B. (1996). Video and computer games in the '90s: Children's time commitment and game preference. *Children Today*, *24*, 12–16.

Bushman, B., & Huesmann, L. (2001). Effects of television violence on aggression. In D. Singer & J. Singer (Eds.). *Handbook of children and the media*. Thousand Oaks, CA: Sage, 231–248.

Bushman, B. J., & Anderson, C. A. (2001, June/July). Media violence and the American public: Scientific facts versus media misinformation. *American Psychologist*, *56*(6–7), 477–489.

Bushman, B. J., & Phillips, C. M. (2001). If the television program bleeds, memory for the advertisement recedes. *Current Directions in Psychological Science*, *10*, 44–47.

Cameron, C. D., Hutcherson, C. A., Ferguson, A. M., Scheffer, J. A., Hadjiandreou, E., & Inzlicht, M. (2019). Empathy is hard work: People choose to avoid empathy because of its cognitive costs. *Journal of Experimental Psychology General*, *148*(6). DOI:10.1037/xge0000595

Christians, C. G. (2004). Ethical and normative perspectives. In J. D. H. Downing (Ed.). *The Sage handbook of media studies*. Thousand Oaks, CA: Sage, 962–976.

Cole, T. (2018, May 27). Sometimes the only thing worse than taking a photograph is not taking one. *The New York Times Magazine*, 12–15.

Comstock, G., & Scharrer, E. (1999). *Television: What's on, who's watching and what it means*. San Diego, CA: Academic Press.

Comstock, G., & Scharrer, E. (2003). Meta-analyzing the controversy over television violence and aggression. In D. A. Gentile (Ed.). *Media violence and children*. Westport, CT: Praeger, 205–226.

Cooperative Institutional Research Program. (1999). *Cooperative institutional research program survey results*. Ames, IA: Office of Institutional Research.

Dunlap, D. W. (2009, September 4). Behind the scenes: To publish or not? *The New York Times*. Available: https://lens.blogs.nytimes.com/2009/09/04/behind-13/

Feinberg, J. (1984). *Harm to others: The moral limits of the criminal law*. New York: Oxford University Press.

Gerbner, G., & Gross, L. (1976). Living with television: The violence profile. *Journal of Communication*, *26*, 173–199.

Gerbner, G., Morgan, M., & Signorielli, N. (1994). *Television violence profile No. 16*. Philadelphia, PA: Annenberg School of Communication, University of Pennsylvania.

Graber, D. A. (1996). Say it with pictures. *Annals of the American Academy of Political and Social Science*, *546*, 85–96.

Graham, J., Haidt, J., Koleva, S., Motyl, M., Iyer, R., Woljcik, S., & Ditto, P. (2013). Moral foundations theory: The pragmatic validity of moral pluralism. *Advances in Experimental Psychology*, *47*, 55–130.

Groebel, J. (2001). Media violence in cross-cultural perspective: A global study on children's media behavior and some educational implications. In D. Singer & J. Singer (Eds.). *Handbook of children and the media*. Thousand Oaks, CA: Sage, 255–268.

Gunter, B. (1994). "The question of media violence." In J. Bryant & D. Zillmann (Eds.). *Media effects: Advances in theory and research*. Hillsdale, NJ: Erlbaum, 163–212.

Haidt, J., & Joseph, C. (2008). The moral mind: How 5 sets of innate moral intuitions guide the development of many culture-specific virtues, and perhaps even modules. In P. Carruthers, S. Laurence, and S. Stich (Eds.) *The Innate Mind, Vol. 3*. New York: Oxford, pp. 367–391.

Hamilton, J. T. (1998). *Channeling violence: The economic market for violent television programming*. Princeton, NJ: Princeton University Press.

Harris, J. (1973). The Marxist conception of violence. *Philosophy and Public Affairs*, *3*, 192–220.

Harris, R. J. (1994). *A cognitive psychology of mass communication* (2nd ed.). Hillsdale, NJ: Erlbaum.

Heyes, C. (2001). Causes and consequences of imitation. *Trends in Cognitive Sciences*, *5*(6), 227–280.

Heyes, C. (2004). Imitation by association. In S. Hurley & N. Chater (Eds.). *Perspectives on imitation: From neuroscience to social science. Vol. 1: Mechanisms of imitation and imitation in animals*. Cambridge, MA: MIT Press.

Hopf, W. H., Huber, G. L., & Weiss, R. H. (2008). Media violence and youth violence: A 2-year longitudinal study. *Journal of Media Psychology 20*(3), 79–96.

Huesmann, L., & Eron, L. (1986). *Television and the aggressive child: A cross-national comparison*. Hillsdale, NJ: Erlbaum.

Huesmann, L. R. (2005). Imitation and the effects of observing media violence on behavior. In S. Hurley & N. Chater (Eds.). *Perspectives on imitation: From neuroscience to social science. Vol. 2: Imitation, human development and culture*. Cambridge, MA: MIT Press.

Hurley, S. (2004). Imitation, media violence and freedom of speech. *Philosophical Studies*, *117*(1–2), 165–217.

Ignatieff, M. (1997). *The warrior's honor: Ethnic war and the modern conscience*. New York: Henry Holt.

Kauffmann, S. (1992, November 23). Blood lines. *The New Republic*, *207*(22), 30–31.

Kodaira, S. I. (1998). A review of research on media violence in Japan. In U. Carlsson & C. von Feilitzen (Eds.), *Children and media violence* (pp. 81–105). Göteborg: UNESCO International Clearinghouse on Children and Violence on the Screen.

Koole, S. L. (2009). The psychology of emotion regulation: An integrative review. *Cognition & Emotion 23*, 4–41.

Lewis, R. J. (2013). Effects on ethical development. In M. S. Eastin (Ed.), *Encyclopedia of media violence* (pp. 135–138). Los Angeles, CA: SAGE.

Mabry, A. (2013). Theory and psychology of arousal and aggressive content. In M. S. Eastin, (Ed.), *Encyclopedia of media violence* (pp. 40–42). Los Angeles, CA: SAGE.

Meltzoff, A. (2004). Imitation and other minds: The 'like me' hypothesis. In S. Hurley & N. Chater (Eds.). *Perspectives on imitation: From neuroscience to social science. Vol. 2: Imitation, human development and culture*. Cambridge, MA: MIT Press.

Meltzoff, A., & Decety, J. (2003). What imitation tells us about social cognition: A rapprochement between developmental psychology and cognitive neuroscience. *Philosophical Transactions of the Royal Society of London B*, *358*, 491–500.

Myers, D. G. (1999). *Social psychology* (6th ed.). Boston, MA: McGraw-Hill.

Myers, P. N., & Biocca, F. A. (1992). The elastic body image: The effect of television advertising and programming on body image distortions in young women. *Journal of Communication*, *42*, 108–133.

National Television Violence Study. (1996). *National television violence study: Scientific papers, 1994–1995*. Studio City, CA: Mediascope.

National Television Violence Study. (1998). *National television violence study* (Vol. 3). Santa Barbara, CA: University of California, Santa Barbara, Center for Communication and Social Policy.

Persky, S., & Blascovich, J. (2007). Immersive virtual environments versus traditional platforms: Effects of violent and nonviolent video game play. *Media Psychology*, *10*, 135–156.

Plaisance, P. L. (2000). The concept of media accountability reconsidered. *Journal of Mass Media Ethics*, *15*(4), 257–268.

Potter, J. W. (1999). *On media violence*. Thousand Oaks, CA: Sage.

Potter, J. W. (2003). The frontiers of media research. In D. A. Gentile (Ed.). *Media violence and children*. Westport, CT: Praeger, 247–262.

Rawls, J. (1971). *A theory of justice*. Cambridge, MA: Belknap Press.

Ross, W. D. (1930/2002). *The right and the good*, P. Stratton-Lake (Ed.) Oxford: Clarendon Press.

Rothbaum, B. O., Rizzo, A. S., & Difede, J. (2010). Virtual reality exposure therapy for combat-related posttraumatic stress disorder. *Annals of the New York Academy of Sciences*, *1208*, 126–132.

Schildkraut, J. (2013). Presentation and effects of violent content in news. In M. S. Eastin (Ed.), *Encyclopedia of media violence* (pp. 272–275). Los Angeles, CA: SAGE.

Sherry, J. L. (2001). The effects of violent video games on aggression: A meta-analysis. *Human Communication Research*, *27*(3), 409–431.

Signorielli, N. (1990). Television's mean and dangerous world: A continuation of the cultural indicators perspective. In N. Signorielli & M. Morgan (Eds.). *Cultivation analysis: New directions in media effects research*. Newbury Park, CA: Sage, 85–106.

Signorielli, N., Gerbner, G., & Morgan, M. (1995). Violence on television: The cultural indicators project. *Journal of Broadcasting and Electronic Media*, *39*, 278–283.

Silverstein, B., Perdue, L., Peterson, B., & Kelly, E. (1986). The role of mass media in promoting a thin standard of bodily attractiveness for women. *Sex Roles*, *14*, 519–532.

Sparks, G. G., & Sparks, C. W. (2002). Effects of media violence. In J. Bryant & D. Zillmann (Eds.). *Media effects: Advances in theory and research* (2nd ed.). Mahwah, NJ: Erlbaum, 269–286.

Strasburger, V. C., & Wilson, B. J. (2002). *Children, adolescents and the media*. Thousand Oaks, CA: Sage.

Strasburger, V. C., & Wilson, B. J. (2003). Television violence. In D. A. Gentile (Ed.). *Media violence and children*. Westport, CT: Praeger, 135–177.

Stratton-Lake, P. (Eds.). Introduction. In Ross, W. D. (Ed.). *The right and the good*. Oxford: Clarendon Press.

Traudt, P. J. (2005). *Media, audiences, effects: An introduction to the study of media content and audience analysis*. Boston, MA: Allyn & Bacon.

Unz, D., Schwab, F., & Winterhoff-Spurk, P. (2008). "TV news – The daily horror? Emotional effects of violent television news." *Journal of Media Psychology*, *20*(4), 141–155.

Walsh, D. A. (1994). *Selling out America's children: How America puts profits before values—And what parents can do*. Minneapolis, MN: Fairview Press.

Ward, S. J. A. (2011). *Ethics and the media: An introduction*. New York: Cambridge University Press.

Yakota, F., & Thompson, K. M. (2000). Violence in G-rated animated films. *Journal of the American Medical Association*, *283*, 2716–2720.

Ybarra, M. L., Dierner-West, M., Markow, D., Leaf, P. J., Hamburger, M., & Boxer, P. (2008). Linkages between internet and other media violence with seriously violent behavior by youth. *Pediatrics*, *122*(5), 929–937.

Zillmann, D. (1983). Transfer of excitation in emotional behavior. In J. Cacioppo & R. Petty (Eds.). *Social psychophysiology: A source-book*. New York: Guilford, 215–240.

17

The Eroding Boundaries between News and Entertainment and What They Mean for Democratic Politics

Bruce A. Williams and Michael X. Delli Carpini

INTRODUCTION: THE CHALLENGE OF THE NEW MEDIA ENVIRONMENT

Since the turn of the twenty-first century, concerns have been raised over the deterioration in the quality of information available to citizens in the United States and around the globe. Analysts have typically blamed "infotainment", a blurring of the lines between "news" and "entertainment," or "fake news," the collapse of distinctions between fact and fiction. Typically, the erasure of these boundaries is viewed with alarm, seen as a sometimes economic, sometimes cultural challenge to journalism's preeminent status as the nation's gatekeeper of the public interest.

As we write, in August of 2019, new questions emerge almost daily about the connection between a rapidly changing media environment and the reliability of the political information used by citizens in the United States and many other democracies. From Donald Trump in 2016 to Volodymyr Zelensky, a comedian elected President of Ukraine in May 2019, figures from the world of entertainment have been elected to lead their nations despite having no previous political experience. Investigative journalists at "prestige press' institutions such as *The New York Times*, *Washington Post*, and television news divisions, as well as newer online sites like *Politico*, *Axios*, and *Slate* have implicated the basic business models of social media giants like Facebook, Twitter, and Google (i.e., selling information about their users to interested third-parties) in the strategic spread of "fake news" designed to influence the outcome of American elections.

Around the globe, many democratic elections are preceded by concerns about the use of false news stories to sway voters. Months prior to Czech Republic presidential elections in January 2018, for example, a site with a history of circulating fake news with a pro-Russian slant published accusations that the main challenger was a pedophile who had collaborated with the secret police in the 1980s (Magra, 2018). As is usually the case, it is unclear what effect this had on the outcome of the election, but the pro-Russian, anti-immigrant and anti-Muslim incumbent was re-elected (Santorajan, 2018). Other instances of fake news aimed at swaying voters became issues in French, Italian, German, and Spanish elections (Magra, 2018).

In this chapter, we argue that anxiety over the rise of infotainment is less about the blurring of lines between news and entertainment or fact and fiction (lines virtually impossible to draw in any intellectually satisfying way) and more about uncertainty resulting from the dramatic changes occurring in the media environment over the last two decades.[1] These changes have

enormous consequences for the ways in which political information is and will be produced, consumed, and circulated in the twenty-first century. A sophisticated understanding of the potentials and pitfalls for democracy of this new media environment depends upon an historical and ethical perspective that is not dependent upon *a priori* assumptions, rooted in dubious conclusions from the recent past, about the appropriate forms or sources of political information. We suggest a more pragmatic approach, drawing upon the historical development of what we call media regimes in the United States and their role in structuring the patterns and practices of ordinary citizens as they search for political information.

MEDIA REGIMES AND CITIZENSHIP

For our purposes, we define a media regime as an historically specific more or less stable institutional arrangement of the state, culture, and economy that structures how mediated information is provided to the public. Once in place, a media regime organizes the gates through which information about culture, politics, and economics passes, thus shaping the *discursive environment* in which such topics are discussed, understood, and acted on. At most points in time, the structure of this gate-keeping process is invisible, with elites, citizens, and scholars tacitly accepting as natural and unproblematic the rules by which information is disseminated. Controversy, when it occurs, centers on perceived violations of the rules rather than on the appropriateness of the rules themselves. A good example is when a journalist is seen as violating the norms of objectivity or the confidentiality of an anonymous source.

Periodically, however, economic, cultural, political, or technological changes lead to disjunctures between existing media regimes and actual practices (for example, when new technologies, such as cable or the Internet, challenge the dominant role of a particular set of media elites, such as the news divisions of the television networks). When the contradictions between existing rules and actual practice become too great to ignore, normally unexamined assumptions underlying a particular media regime become more visible and more likely to be challenged, opening up the possibility of "regime change." Robert McChesney defines such moments as "critical junctures," while Paul Starr defines such periods as "constitutive moments" (McChesney, 2007; Starr, 2004). As McChesney argues, we are at just such a critical juncture. It is revealing to recall briefly past critical junctures and the resulting debates and policies over media and democracy which shaped previous American media regimes.

For example, economic, political, and cultural changes occurring during the early part of the twentieth century, coupled with the emergence of radio and later television, challenged the existing media regime (dominated by newspapers and their owners). This disjuncture set off a series of very public struggles over fundamental issues such as the relative merits of newspapers versus radio or television as a source of public information, the appropriate balance between public and private ownership, commercialization, which elites should communicate with the polity and how should they do so, and even the appropriate role of citizens in a democracy (McChesney, 1993).

By the middle of the twentieth century, a more or less stable new media regime had emerged. It consisted of the increasing dominance of electronic over print media, concentrated ownership of a shrinking number of media outlets, a public service obligation imposed on radio and television networks in exchange for the use of the public airwaves, and, finally, heightened status for professional journalists who would mediate between political leaders and the citizenry. It was through the emergence of this new regime (called "The Golden Age of Broadcast News" by Jon Katz, 1997), with its particular combination of media institutions, norms, processes and actors,

that familiar distinctions such as news versus entertainment and the central role of professional journalists as gatekeepers came to take on their unquestioned, authoritative meaning.

In this regime, the "news media" became gatekeepers of the public agenda, the source of information about pressing issues of the day, and the public space in which (mainly elites) debated these issues. Significantly, this regime depended upon a limited number of gates through which political information would pass to citizens: the three network news broadcasts and a single newspaper for most Americans. The vigorous defenders of Ted Koppel and *Nightline*, for example, accepted the assumptions of this media regime.

Much academic research buttressed the underlying assumptions of this regime. Based upon decades of survey research, it was assumed that the public was largely uninterested in politics and could only be periodically roused around elections, or in times of crisis. This generally apathetic and poorly informed citizenry would receive all they needed to know about the political world if they turned to the evening news for 30 minutes a day, and perhaps, for the more engaged, read a newspaper or news magazine. Once tuned in, professional journalists would provide citizens with the information they needed to make wise decisions—primarily by voting.

When it came to examining the political influence of the media, scholars focused almost exclusively on media explicitly labeled as political by producers: news broadcasts, news and editorial sections of print media, political advertisements, and so forth. It's also significant that from the early days of empirical communications research by Paul Lazarsfeld and his colleagues in the 1940s (Lazarsfeld, Berelson, & Gaudet, 1944) through the methodologically sophisticated work of scholars like Donald Kinder, Shanto Iyengar and Kinder (1987), Iyengar (1991)), Iyengar & Reeves, 1997), Diana Mutz, Sniderman, and Brody (1996), or Robert Entman (1989, 2004)), the centrality of media gatekeeping has been assumed. Almost without exception, researchers assumed (sometimes explicitly, more often implicitly) that between the booming, buzzing, blooming confusion of the political world and the limited time and capacity of ordinary citizens stood professional journalists who, in negotiation with political elites, would determine what information passed through these gates to the general public. It was primarily at a limited number of such gates that the public would gather to learn about politics.

From the perspective of the early twenty-first century, it is clear that this whole line of analysis and the media regime within which it is situated emerged from a very particular media environment. The basic features of this environment and how much has changed over the last two decades is illustrated by the fact that in 1982, the year in which Iyengar and Kinder (1987) were doing their influential research on the political influence of the broadcast news, the average American home received 10 television channels, 20 percent of American homes had a VCR, fewer than two million personal computers were sold, and the Internet, DVDs, cell phones, satellite television, and so forth were not available to a mass market.

Since that time, however, changes in the media environment have severely undermined the regime of the "Golden Age of Broadcast Journalism." The average American household now has three television sets and access to more than a 120 television channels, not including internet-based providers such as Hulu or Netflix. Eighty-seven percent of households have a DVD player and just under 50 percent have DVRs. Consequently, television sets are often tuned to different channels in different rooms and any given channel has a far smaller and often much more homogenous audience than in the past. Industry types call this phenomenon audience fragmentation and it means that the days of a family gathering together on the couch watching the same show are dying out for good; indeed, while 75 percent of U.S. households have a TV in their living room, this amounts to only a little over a quarter of the average family's total TV sets. This fragmentation is furthered by the growth in Internet and mobile technology access and use: for example, 85 percent of American adults now use the Internet; 70 percent have access to a home

broadband connection; 61percent have home WiFi; 91 percent own a cell phone (56 percent a smartphone); and 34 percent own a tablet computer.[2]

These and numerous other technological changes have made it easier to time shift, skip through commercials, or avoid broadcast media entirely. This exponentially increases the number and type of gates through which mediated information flows, and in the process profoundly changes the way citizens choose their media diet. The result of these developments has been greater variation than at any point in history in the quantity, form, content, and sources of the mediated information consumed by individual Americans. At the same time, these changes have blurred the distinction between "political" and "non-political" media and genres, eroded the gate-keeping and agenda-setting roles of the news media, muddied the line between producers and consumers of media, and challenged the professional bases of modern journalism.

Nowhere are these changes more evident than when it comes to the increasingly fragmented and segmented audiences for political information. So, by 2012 the audience for network news had shrunk to about 40 percent of the over 50 million viewers per night in the early 1980s (Project for Excellence in Journalism, 2011, 2013), despite the fact that the U.S. population increased over this period by nearly 90 million. Even more telling, while the average American is 35 years old, the average age of those watching network news is now over 60 (those who get their news from the online sites of the network news divisions are between 10 and 15 years younger).

While those who grew up in the "Golden Age of Broadcast News" tend to still seek their political information from the gatekeepers established during that media regime, younger people seek out information differently. Consider a study conducted by the Pew Research Center (2012) during the 2012 presidential campaign. Among its many findings were that 34 percent of 18 to 29 year olds watched any news "yesterday," compared to 65 percent of 50 to 64 year olds and 73 percent of those over 64; that 33 percent of 18 to 29 year olds encountered news on a social networking sight "yesterday," compared to 10 percent of those 50 to 64 and 2 percent of those over 64, and that 60 percent of 18 to 29 year olds got there news "yesterday" from one or more digital platforms compared to 43 percent of 50 to 64 year olds and 28 percent of those over 64.

In addition to turning to different platforms for news, young people are also turning to different genres. For example, according to the Pew study cited above, while 18 to 29 year olds made up 43 percent of *The Colbert Report* viewers and 39 percent of *The Daily Show* viewers, they were only 12 percent of daily newspaper readers and 9 percent of network evening news viewers. And an earlier study the Pew Research Center (2004b) reported that 21 percent of 18- to 29-year-olds named *The Daily Show* and *Saturday Night Live* as their regular source of campaign news, compared to 23 percent of this age group that named one of the three nightly network news broadcasts.

These changes have been regularly noted by many scholars and journalists. However, they have been viewed from the perspective of the very media regime that is being challenged. As a result, the breakdown of distinctions such as that between news and entertainment, the emergence of a hybrid form labeled infotainment, the growing influence of digital media, the declining influence of professional journalists, and so forth, are seen as a crisis of democracy itself. Viewed from a broader historical vantage, however, it is the "Golden Age of Broadcast News" that is exceptional in its attempts to limit politically-relevant media to a single genre ("news") and a single authority ("professional journalists"). Indeed, despite the seeming naturalness of the distinction between news and entertainment, it is remarkably difficult to identify the characteristics upon which this distinction is based. In fact, it is difficult—we would argue impossible—to articulate a theoretically useful definition of this distinction (Williams & Delli Carpini, 2011).

We want to avoid such irresolvable and ultimately pointless definitional disputes about appropriate and inappropriate sources of political information. Instead we begin with the assumption

that a central criterion for judging any media regime in a democratic society is how well it fosters a more informed citizenry. By this standard, the lamented "Golden Age of Broadcast Journalism" did a remarkably poor job. As many scholars have noted, despite dramatic increases in the average level of education and an increase in access to sources of information, Americans in the 1980s showed no improvement in levels of political knowledge as compared to the earliest days of survey research in the 1940s (Delli Carpini & Keeter, 1996; Entman, 1989). As well, the era of the Golden Age witnessed precipitous declines in virtually all forms of political participation. We are not arguing that the Golden Age, and the rise of its dominant medium television, caused these trends, only that this media regime clearly did nothing to improve matters.

Given the limitations of the Golden Age, what does it mean that young people (and to a lesser degree others) regularly get their political information from non-traditional sources, including those labeled as "entertainment" rather than "news"? Consider the 2012 Pew Research Center study cited above, which asked four questions about current affairs.[3] The survey then calculated the percentage of respondents who got all four questions correct according to their self-reported viewing habits. Among the more interesting results were that a greater percentage of viewers of *The Daily Show* and *The Colbert Report* (32 percent and 29 percent respectively) answered all four questions correctly than did readers of a daily newspaper (22 percent) or watchers of the network evening news (15 percent).

Does this mean that those who rely on non-traditional sources of information are better informed than those who rely on traditional news sources? The answer is more complicated than this, in ways that further challenge the news versus entertainment distinction. For example, the knowledge quiz described above also shows that consumers of some traditional news sources (e.g. *The New York Times* or *Wall Street Journal* are as informed as watchers of *The Daily Show* and *Colbert Report*, while those consuming other non-traditional media (e.g., daytime talk radio or television) are a good deal less informed. Analysis of the earlier Pew data by Young and Tisinger (2006) further demonstrates the obsolescence of distinctions such as that between news and entertainment by showing that those who report watching "fake news" are more rather than less likely to also follow more traditional sources of political information; in short young people and to a lesser extent others are not replacing one source of information (traditional news outlets) with another (late night comedians), but rather:

… individuals use diverse forms of content to create political understanding, regardless whether that content is on the NBC *Nightly News* or a late-night comedy program. And while some news producers may be uncomfortable with the notion that shows like *The Daily Show* might play an important role, perhaps their growing relevance speaks to a larger trend in the information environment (Young & Tisinger, 2006, p. 130).

Moreover, the simplistic distinction between news and entertainment obscures the significant differences between shows lumped within one or another of these categories. So, for example, much of what appears on network news broadcasts, or in a newspaper is concerned with celebrity lifestyles (or styles of death in the case of Anna Nichole Smith), fashion, television and movie reviews, and other topics usually denigrated as entertainment or infotainment. Conversely, as Young and Tisinger point out, the humor on *The Daily Show* depends upon irony and satire, assuming a basic knowledge of the events being satirized. In contrast, Letterman and Leno's jokes tend to be structured around incongruity and do not depend upon detailed knowledge of the specific issues upon which the joke is based.

To us, these findings suggest that the panic over young people turning to new or non-traditional sources of political information is at least as much about the challenges to institutionalized elite control over political information as it is about the quality and democratic implications of the way some citizens learn, or fail to learn, about politics. What is needed are ways of understanding

the changes in the information environment which are not dependent upon outmoded or ill-defined distinctions between sources of information, but rather which allow us to fully grasp the democratic potentials and pitfalls of a changing media environment.

This is not to say that many elements of the collapsed golden age are not worthy of salvaging. It is not saying that past regimes, when the lines between genres were less clear, did not suffer from their own shortcomings. And it is not saying that the new media environment is simply a return to the past.

It is to say, however, that like it or not, the answers about media and democracy provided by the Golden Age are suspect and that the new media environment opens up both new democratic possibilities as well as new threats. At the very least, changes in the media environment challenges what we think we know about political communications to the extent that our knowledge assumes the existence of a media regime that no longer exists. Moreover, if we want to foreground media's role in fostering an informed citizenry, it is vital to focus on how ordinary citizens understand the emerging media regime. As with scholars, ordinary citizens operate on a set of assumptions conditioned by past experience with media and have given much less careful thought to the features of the new media environment and the new regime it will both shape and be shaped by.

In research bearing on this question, Press et al., (2005) had 35 individuals from all walks of life keep media diaries during the three months around the 2004 election. Supplemented by face-to-face interviews and focus group discussions, the project results provide insight into how subjects thought about or discussed public issues, and the use of media (old and new) in these deliberations. Mirroring the arguments of Young and Tisinger (2006), Press et al. found that their subjects moved seamlessly between different sources of political information, making few distinctions between old and new media or between traditional and non-traditional sources. Even more importantly, most subjects had absorbed the assumptions about political information in the Golden Age—they were quick to criticize what they saw as biased political coverage by journalists and expressed a desire for neutral sources of information.[4] Overall, subjects were quite critical about the potential short-comings of political information received from the gatekeepers defined by the Golden Age. However, when it came to the myriad sources of information available through new media and through non-traditional outlets, subjects were much less critical and tended to adopt an uncritical enthusiasm for its possibilities.

In short, these findings, and others like them, indicate a need for understanding the new media environment on its own terms and focusing on its implications for fostering an informed and engaged citizenry. Such understanding is vital if the media regime that will emerge over the next decades is to take full advantage of the potentials in the new media environment for enhancing democratic life. In the balance of this chapter, we try to suggest some ways to more productively understand the new media environment in ways that will allow its democratic potentials to be maximized as a new media regime develops. First, what is needed are definitions of politically-relevant mediated information that are not rooted in a now moribund Golden Age, but rather more suited to the new media environment. It is also important to develop normative criteria that can be used in public debate about the changes that are taking place.

Politically-relevant mediated information is a concept that is always essentially contestable, in need of continuous definition and explicit discussion and debate.[5] The new media environment both limits the ability of professional journalists to limit and control the number of gates through which political information flows and so places more responsibility with ordinary citizens who now must sort through an often seemingly bewildering number of sources and types of political information. The interactivity of the Internet and the ease with which almost anyone with a hand-held video camera or audio recorder can make information available to large numbers of people

blurs the very line between producers and consumers of mediated political information. As policies and practices of a new media regime emerge, careful scholarly analysis and public deliberation emphasizing democratic values is necessary, if we are to avoid a regime aimed solely at maximizing the new media environment's potential for furthering corporate interests, rather than democratic potentials. As in the past, journalists, political elites, and scholars have a role to play in this public debate, but so too do movie producers, television writers, musicians—and most importantly, ordinary citizens themselves. In short, we think that the new media environment creates new responsibilities for all who hold and view the tremendously expanded media soap box.

DEFINING AND EVALUATING POLITICALLY-RELEVANT MEDIA

To begin it is important to shift from categorizing politically-relevant media by genre (for example news versus drama), content (for example, fact versus fiction) or source (for example, journalist versus actor) to categorizing by utility. That is, the extent to which any communication is politically relevant is dependent on what it does—*its potential use*—rather than what it says, who says it, and how it is said.

We argue that, in a democratic polity, politically-relevant communications are those that shape opportunities for understanding, deliberating about, and acting on the relationships among: (1) the conditions of one's day-to-day life; (2) the day-to-day life of fellow members of the community; and (3) the norms and structures of power that shape these relationships. It is the connection among these three elements that constitutes for us the inevitably contested, but nonetheless central definition of political relevance.

What purchase does such a definition bring us? First, it moves us away from *a priori* categorizations based solely on genre, focusing instead on the full range of mediated messages with which citizens interact. A comedian's Leno monologue that satirically points out the political ignorance of the general public, a scene from the HBO series *The Wire* exploring racial injustice in our legal system, or debate on a blog over torture scenes in the movie *Zero Dark Thirty* are all as politically-relevant as a newspaper or the nightly news.

Second, and more importantly, our definition shifts the fundamental question from *if* a particular mediated message is politically relevant to *how* it is relevant. For example, the insider coverage of campaign strategy and horse race frames that make up much of news coverage of elections may be politically relevant, but this relevance often comes from a tendency to limit rather than enhance opportunities for understanding, deliberating about, and acting on the relationship among the conditions of day-to-life and the norms and structures of power that shape these relationships (Patterson, 1993). If we suggest that much of the content of news broadcasts and political talk shows is politically debilitating, it is more difficult to blame the public for not paying attention to the issues raised on such shows. It certainly casts doubt on using awareness of such coverage as a hallmark of good citizenship and civic engagement.

The new media environment does more than simply make it difficult for citizens and scholars to determine what is or is not political communication. It also has challenged the criteria by which one assesses the media's impact on democratic politics. Historically, much of the debate and changing consensus over the appropriate role of the media in American democracy has been based on assumptions about who should (or is able to) participate in politics and so who is in need of the information to do so effectively.

The concept of "community" in our definition of political relevance is meant to signal the importance of this question. One of the greatest powers of the mass media is to help define the community to which individuals think of themselves as belonging. This is a central act in

democratic politics which underlies notions of moral responsibility. As citizens are left more and more to themselves to sift through the myriad gates through which politically relevant information flows to them, the possibilities for redefining the political community expand.

Defining the communities to which we see ourselves belonging is central to the normative implications of politically-relevant media. As John Dewey observed,

> To learn to be human is to develop through the give and take of communication an effective sense of being an individually distinctive member of a community; one who understands and appreciates its beliefs, desires and methods, and who contributes to a further conversion of organic powers into human resources and values.
>
> (1927, p. 154, emphasis added)

Philosopher Onora O'Neill (1996) argues that in defining moral responsibilities, we need to carefully and consistently define the individuals who are members of our own moral community. So, for example, if we consume inexpensive food and clothing whose price is dependent upon low paid foreign labor, it is morally inconsistent to then say that we have no responsibility to such laborers simply because they live in far-away lands about which we know little and care less. Whether we like it or not they have become members of our moral community because our own day-to-day life is dependent upon the conditions of their day-to-day life (and vice versa). The modern media are central to constructing, revealing, and at times disguising the communities to which we belong.

It's easy to dismiss emerging virtual communities, moral communities, or communities of interest as less real or meaningful than more traditional, place-based ones. It is also easy to argue that such connections can and have been made prior to the emergence of new media. Certainly both these points have merit, but it is important not to overstate them.

Consider, for example, the sense of moral outrage and collective self-reflection that accompanied the failure of local residents to come to Kitty Genovese's aid as she was attacked on a Queens, New York street in 1964. Ms. Genovese's neighbors were blamed because *they saw (or heard) her plight and failed to act* in a situation where action was possible (at least by calling the police). In addition, national broadcast news and newspaper coverage of the incident sparked citizens around the country to reflect on the loss of community. This broader reflection did not, however, carry with it any deep-seated sense of obligation to act for viewers or readers—Ms. Genovese was not *their* neighbor. In the current environment it is increasingly the case that media audiences are more like Ms. Genovese's neighbors than like the viewers and readers of her story.

We increasingly find ourselves in mediated situations where we come know other people (at least as well as Ms. Genovese's neighbors knew her), where we see these people in need of help, where we have a real economic, cultural, or political connection to them, and where it is possible for us to do something. This creates new and heretofore unimaginable communities of moral obligation—obligations which cannot be defined mechanistically, but rather are essentially contestable and in need of constant public discussion and clarification. This is even more true when we consider the specific interactive capabilities of the Internet. During the American-led invasion of Iraq in 2003, for example, bloggers, like the "Baghdad Blogger," were able to communicate their experiences of being under bombardment to millions of Internet users around the world (Kinder & Pax, 2003). This brought "enemy" civilians into our own community of moral obligation in ways almost impossible in past conflicts. In April, 2013, extensive coverage of the collapse of a garment factory in Bangladesh that killed over 400 workers brought the plight of those who manufacture clothing into the moral community of the retailers who sell these

products and the consumers who buy them. Activists used a wide variety of media, especially blogs and other social media, to publicize the names of the retailers who relied on unscrupulous subcontractors in poor countries like Bangladesh. The resulting campaign, aided enormously by social media, led many retailers to sign onto binding agreements holding them accountable for the working conditions of their foreign laborers and adverse publicity for the retailers who refused to endorse the agreement (Strochlic, 2013). These are not unproblematic developments, of course, which raise questions about the ability of the public to critically analyze such information, the implications for those who have access to new media versus those who do not (victims of genocide in Darfur, for instance), who has greater access to our resulting community of moral inclusion and so forth. Our point is that such potentials are new to the media system we now live in and need to be openly debated and discussed as we cast policies that will institutionalize a new media regime.

We are not arguing that the new media environment will inevitably lead to either improved or degraded notions of community—this will ultimately depend on how new media is used. Rather it is to suggest that in this new environment we must be aware of the political relevance of a much more varied set of communication genres and technologies. This new environment changes—for better or worse—current notions of community and the moral and political obligations associated with them.

With this in mind, we suggest four qualities of politically-relevant media that are likely to influence the practice of democratic politics. We believe that these qualities—what we label transparency, pluralism, verisimilitude, and practice—salvage the spirit and intent of past efforts to create a democratic media environment, while taking into consideration both the limitations of these earlier efforts and the new promise and pitfalls of the new media environment. We offer these criteria not because they are the only ones possible, but rather to open up discursive space for an explicit consideration of the relationship between a new media environment and democratic politics in the twenty-first century

Transparency

By this term we mean that the audience of any mediated message must know who is speaking to them. It is related to the traditional journalistic norms of revealing one's sources, including a byline, and acknowledging when a story involves the economic interests of the media organization. But transparency is more encompassing. It is as important to know the sources, biases, intentions, and so forth of Jon Stewart as Brian Williams; to know the economic interests of a movie studio as a newspaper chain; and to know the "sources" of a screenwriter as a reporter.

Pluralism

Pluralism is the openness of the media environment to diverse points of view and the ease of access to these views. It is related to the traditional notions of balance and equal time, but again we see pluralism as a much broader concept. New technology and the blurring of outdated distinctions in genres increases the possibility for either a much richer conversation that includes a more diverse set of viewpoints or a more homogeneous one that implicitly limits debate. The increasing ability to target audiences coupled with the ability of audiences to pick and choose the information they attend to makes it quite possible that public discourse will become more fragmented even as it becomes more controlled by a small number of media corporations.

Verisimilitude

We use the word "verisimilitude" not in its meaning as "the appearance or illusion of truth" (though this definition should always be kept in mind), but rather "the likelihood or probability of truth." It acknowledges the uncertainty of things, while also recognizing the importance of seeking common understanding through efforts to approach the truth.

When we talk about verisimilitude in the media, we mean the assumption that sources of political communications take responsibility for the truth claims they explicitly and implicitly make, even if these claims are not strictly verifiable in any formal sense. This is as applicable to a newspaper or network news broadcast as it is to documentaries like *Fahrenheit 9/11* and *An Inconvenient Truth*, more traditional Hollywood movies like *The Hurt Locker* and *Twelve Years a Slave*, or to television series like *24* and *CSI: Miami*.

Practice

Finally, we suggest the concept of *practice*. We mean this in two senses: first, as in modeling, rehearsing, preparing, and learning for civic engagement; and second as actual engagement and participation, be it in further deliberation or more direct forms of political activity.

The Internet provides the most obvious example of how one might assess the democratic utility of the media by considering its potential for encouraging and facilitating democratic practice. As it is it provides numerous opportunities for citizens to both learn and act: from deliberating about issues of the day, to contacting public officials, to contributing money to political causes, to finding opportunities to volunteer in one's local community, to participating in national and even global movements. But there is no guarantee that this evolving medium will continue to develop its political potential—compared to the creativity and resources that have gone into making the Internet a good and safe place to shop, efforts to make it a good and safe place to both prepare for and actually engage in political action seem malnourished.

CONCLUSIONS

The challenge in this new media environment is not to determine how to recreate the authoritative political information hierarchy of the past—for better or worse that battle has already been lost. Instead, the challenge is to create a media regime that provides the opportunities for a wide variety of voices, interests, and perspectives to vie for the public's attention and action. We believe that such an environment is preferable—more democratic—to assuming *a priori* that any particular group or interest should have the power to set the agenda. But whether one agrees with this assessment or not, there is no returning to the past system in which a limited set of elites served as sole gatekeepers and agenda setters.

Ultimately the new information environment requires not just a new definition of political relevance and democratic utility, but also an expanded definition of democratic citizenship. The distinctions between political, cultural, and economic elites, between information producers and consumers, even between elites and "the masses" are becoming more fluid. Consequently, notions of press responsibility that underlie traditional models of media and politics must be expanded to other individuals and institutions that influence politically relevant media texts. Similarly, notions of civic responsibility that are applied to the general public must be expanded to also apply to traditional political, cultural, and economic elites—to any individual or organization that is given access to the media soapbox in our expanded public square.

In the end, the issues raised by the changing media environment are not unlike those underlying the debate between John Dewey and Walter Lippmann of nearly a century ago. At its core remains the issue of the limitations of the public—the public and its problems as Dewey called it. As the position of journalists as authoritative gatekeepers declines, citizens are left more on their own to sort through competing perspectives and multiple sources of political information available to them. So, the critical capacities and interests of the public—media literacy—again becomes a central problem for democratic life. Like Dewey we see this problem as one that is the responsibility of all of us, the media included, to overcome.

NOTES

1. The arguments in this chapter are largely drawn from Williams and Delli Carpini (2011).
2. All figures on the changes in the structure of the media environment are from the following sources: *Statistical Abstract of the United States*, 2005; *TV Dimensions 2004 (Media Dynamics, Inc.)*; "Strategy Analytics: A Quarter of Households Worldwide Now Have Wireless Home Networks." www.businesswire.com/news/home/20120404006331/en/Strategy-Analytics-Quarter-Households-Worldwide-Wireless-Home; "Pew Internet: Mobile." http://pewinternet.org/Commentary/2012/February/Pew-Internet-Mobile.aspx; "Internet Adoption, 1995–2013." http://pewinternet.org/Trend-Data-(Adults)/Internet-Adoption.aspx; "Report on the Growth and Scope of Television. www.tvb.org/media/file/TV_Basics.pdf.
3. The questions and the percentage of respondents answering correctly were: 79 percent were able to recall that Martha Stewart had been found guilty in her then recent trial; in an open-ended question, 71percent volunteered that al Qaeda or Osama bin Laden were behind the September 11 attacks; 56 percent knew that the Republicans currently maintained a majority in the House of Representatives; and 55 percent were able to correctly estimate the current number of U.S. military deaths in Iraq.
4. These findings were supported by a Pew Foundation survey which found that a large majority of subjects expressed a desire for news with "no point of view," rather than news from their own political perspective (2004a).
5. The meaning of any concept or issue varies over time and among different people. Certain concepts, however, are likely to generate a greater variety of meaning by their very nature:

   When disagreement does not simply reflect different readings of evidence within a fully shared system of concepts, we can say that a conceptual dispute has arisen. When the concept involved is appraisal in that the state of affairs it describes is a valued achievement, when the practice described is internally complex in that its characterization involves references to several dimensions, and when the agreed and contested rules of application are relatively open, enabling parties to interpret even those shared rules differently as new and unforeseen situations arise, then them concept in question is an "essentially contested concept."

   (Connolly, 1983, p. 10)

REFERENCES

Connolly, W. E. (1983). *The terms of political discourse* (2nd ed). Princeton, NJ: Princeton University Press.

Delli Carpini, M. X., & Keeter, S. (1996). *What Americans know about politics and why it matters*. New Haven, CT: Yale University Press.

Dewey, J. (1927). *The public and its problems*. New York: Henry Holt.

Entman, R. M. (1989). *Democracy without citizens: Media and the decay of American politics*. New York: Oxford University Press.

Entman, R. M. (2004). *Projections of power: Framing news, public opinion, and U.S. foreign policy*. Chicago, IL: University of Chicago Press.

Iyengar, S. (1991). *Is anyone responsible? How television frames political issues*. Chicago, IL: University of Chicago Press.

Iyengar, S., & Kinder, D. R. (1987). *News that matters: Television and American opinion*. Chicago, IL: University of Chicago Press.

Iyengar, S., & Reeves, R. (1997). *Do the media govern? Politicians, voters, and reporters in America*. Thousand Oaks, CA: Sage.

Katz, J. (1997). *Media rants: Postpolitics in the digital nation*. San Francisco, CA: Hardwired.

Kinder, D., & Pax, S. (2003). Baghdad blogger. *Guardian Unlimited*, June 4.

Lazarsfeld, P. F., Berelson, B., & Gaudet, H. (1944). *The people's choice: How the voter makes up his mind in a presidential campaign*. New York: Duell, Sloan & Pearce.

Magra, I. (2018). Italy braces for fake news as election approaches. *New York Times*, March 2, p. A8.

McChesney, R. W. (1993). *Telecommunications, mass media, and democracy: The battle for the control of U.S. broadcasting, 1928–1935*. New York: Oxford University Press.

McChesney, R. W. (2007). *The real communication revolution: Critical junctures and the future of media*. New York: New Press.

Mutz, D. C., Sniderman, P. M., & Brody, R. A. (1996). *Political persuasion and attitude change*. Ann Arbor, MI: University of Michigan Press.

O'Neill, O. (1996). *Towards justice and virtue: A constructive account of practical reasoning*. New York: Cambridge University Press.

Patterson, T. E. (1993). *Out of order*. New York: A. Knopf.

Pew Research Center for the People and the Press. (2004a). *Cable and internet loom large in fragmented political news universe perceptions of partisan bias seen as growing, especially by democrats*. Washington, DC: Author.

Pew Research Center for the People and the Press. 2004b. *News audiences increasingly politicized online news audience larger, more diverse*. Washington, DC: Author. Retrieved from http://people-press.org/reports/display.php3?ReportID=215.

Pew Research Center for the People and the Press. 2012. *Trends in News Consumption: 1991–2012*. Washington, DC: Author. Retrieved from http://people-press.org/2012/09/27/in-changing-news-landscape-even-television-is-vulnerable/.

Press, A. L., Williams, B. A., Moore, E., & Johnson, C. (2005). Connecting the private to the public: Media and the future of public life. Paper presented at the Annual Meeting of the American Political Science Association.

Santorajan, M. (2018). Czech Republic re-elects Milos Zeman, populist leader and foe of migrants, *New York Times*, January 26, p. A13.

Starr, P. (2004). *The creation of the media: Political origins of modern communications*. New York: Basic Books.

Strochlic, N. (2013). JC Penney, Mango, among companies that used fatal Bangladesh factory. *The Daily Beast*, April 30. http://thedailybeast.com/articles/2013/04/30/jcpenney-mango-among-companies-that-used-fatal-bangladesh-factory.html

Williams, B. A., & Delli Carpini, M. X. (2011). *After broadcast news: Media regimes, democracy, and the new information environment*. New York: Cambridge University Press.

Young, D. G., & Tisinger, R. M. (2006). Dispelling late-night myths: News consumption among late-night comedy viewers and the predictors of exposure to various late-night shows. *Harvard International Journal of Press/Politics*, *11*(3), 113–134.

18

What Can We Get Away With?

The Ethics of Art and Entertainment in the Neoliberal World

Angharad N. Valdivia

VIGNETTE 1

The Art Institute of Chicago in the Spring of 2007 (February 17–May 12, 2007) showcased an exhibition entitled, *Cézanne to Picasso: Ambroise Vollard, Patron of the Avant Garde*. Organized in conjunction and collaboration with the Metropolitan Museum of Art in New York City, as well as the Musée D'Orsay and Réunion des Musées Nationaux both of Paris, the exhibition brought together works by Paul Cézanne, Paul Gauguin, Vincent Van Gogh, Pierre Bonnard, Aristide Maillol, Henri Matisse, Pablo Picasso, and Edouard Vuillard. The group of artists ranged from the Spanish to the Dutch though most were French. The subjects of the paintings came from all walks of life, especially given the Impressionist, post-Impressionist, and the Fauve's tendency to represent the everyday and, until then, those considered too lowly to be the subjects of paintings. The collection of paintings, given the vicissitudes of art and war, as well as of circulation of art in global markets, came from a range of private and museum collections in the United States, Canada, and Europe, including a significant number of the Gauguins loaned by the Hermitage in St. Petersburg, Russia. In sum, this was a transnational enterprise exhibiting a collection of art originally produced by a transnational group of artists whose works now circulate in transnational circuits.

What is missing, of course, are any female artists. However, not missing are the not so subtle ethical issues that relate to the production, collection, and exhibition of art. Paris in the 1890s was, as we suspect the art world continues to be, a very conservative, tight community of elite understanding about what is art and who is an artist. New schools of art as well as new artists had then, as they still have, a difficult time breaking into the circles of circulation and exhibition. It took a visionary such as Ambroise Vollard to bring to light, as it were, the works of many artists who are now enshrined at the core of our cultural heritage as cosmopolitan citizens of the Western World. The thought of Picasso literally throwing himself at Vollard so he would exhibit his work rattles one's senses. The ethical issues about whose work Vollard chose and, as important then as it is now, especially for a starving artist, the level of financial commitment and remuneration remain at the forefront of whose art survives and endures.

As it turns out, Vollard became a very rich man by showcasing the work of previously unknown artists. Some artists did not mind. Cézanne, for example, was independently wealthy

so he appreciated any opportunity for his artwork to circulate. Gauguin, on the other hand, was living hand to mouth and greatly resented it that Vollard grew richer through the sale of his works while Gauguin was barely able to pay his bills. Gauguin's effort to shield himself from Vollard's uncanny ability to buy low and sell high proved to be mostly futile as no matter to whom he left his paintings, they mostly eventually ended up with Vollard who profited from all of them. We can also speculate that at least Gauguin had a troubled relationship with Vollard, which was better than none at all. How many other artists did not manage even that type of access and we have, as a result, not heard about them? Certainly, few had the opportunity that Matisse had to secure another exhibition patron and be able to later refuse Vollard's offers.

I begin with this example of Vollard and the Parisian art scene at the turn of last century (1890s–1920s) to underscore the continuities about issues of circulation and exhibition of art and other entertainment media despite much ahistorical assertion that all of these are new issues. Artists and other cultural producers then and now face complex ethical and economic issues that are transnational and complex. The thin line between agency and structure faced Van Gogh as much as it faces Eminem, Britney Spears, Marianne Pearl, Don Imus, Mira Nair, and Ai Weiwei to name but a few contemporary entertainment figures that cross media, nations, and genres. Issues of representation as they overlap with ethical issues endure. Granted, there was not a huge public outcry when Gauguin used Tahitian natives as the backdrop and foreground of his most famous works of art, such as the canonical "Where Do We Come From? What Are We? Where Are We Going?" (1897), but the use and representation of "others" remain at the core of ethical discussions today. Otherwise shock jock Don Imus's remarks about the Rutgers' girls' basketball team would not have caused the outbreak it did, resulting in Imus's firing and the bleeding of usage of the "n" word into critiques of hip hop, rap, talk radio in general, and who gets to use which words to refer to each other.

VIGNETTE 2

On April 4, 2007 in his *Imus in the Morning* radio show on the CBS radio network, speaking about the then ongoing women's basketball season, Don Imus referred to the Cinderella Rutgers team as "nappy-headed hos." The ensuing debate and ramifications of that statement led to Imus's firing a week later. Tellingly of how far we have veered from ethical sensibilities, Imus's lawyers sued CBS not because his freedom of speech had been violated but rather for the fact that CBS had not used the delay button, which implicitly meant that they knew that his comment was going on the air. The controversy led to a wide ranging discussion of issues of race, gender and class—since his comment succinctly highlighted these three vectors of difference. This discussion contributed to the debate about misogyny in rap and hip hop music; who gets to use the n-word or any racial in-group specific slang as popular culture makes ethnic cross-dressing a desirable and marketable strategy of youth identity; and where is the line of good taste when so much of entertainment seems to revel in the flaunting of previous codes of sensitivity and politeness? A *Time* magazine article entitled "Who Can Say What?" (Poniewozik, 2007) included the following in its exploration of recent challenging contributors to the ethics of contemporary entertainment: Sacha Baron Cohen of *Borat: Cultural Learnings of America for Make Benefit Glorious Nation of Kazakhstan*, Quentin Tarrantino, *South Park*, Ann Coulter, Michael Richards (the comedian who racially assaulted his heckler), Chris Rock, Rosie O'Donnell, Mel Gibson, Ludacris, Ted Danson, Jimmy the Greek, and many others. The list above includes comedians, political pundits, sports commentators, talk show hostesses, television shows, movie actors and

directors—in sum, a range of those appearing in entertainment media today. All of them crossed that illusory line of ethics, art, and entertainment with a range of ramifications from none at all to delivering apologies and experiencing temporary loss of employment. The repercussions were few and temporary.

The ongoing discussion continues to skirt issues of ethics, while Imus's lawyers focused on network culpability (the network was at fault for not pushing the red button), network executives and pundits turn to the issue of intent—did Imus "intend" to hurt people? Thus Sean Ross of radio research firm Edison Media Research asks:

> Are you saying you can't entertain without saying racial slurs or talking about assaulting prominent women? I would hope that these people see themselves as having more to say … But the bigger issue is, I don't know what anyone who makes any of these comments means. I don't think it's because it's a deeply held opinion and they say they're doing it as comics to be provocative, which is maybe even worse.
>
> (quoted in Kaufman, 2007)

Once the issue becomes one of intent and provocation, much of the coverage centers around issues of "shock jocks" whose provocative style garners high ratings and profits for radio and television networks. Although some pundits suggested Imus could just move over to satellite networks like Sirius and avoid Federal Communication Commission rules and any ethical issues altogether, less than a year after the scandal, Imus was back on the air with a New York City ABC affiliate.

VIGNETTE 3

Another historically enduring concern in media studies has been that of children and youth. Millions of dollars and of journal article pages have been devoted to the area of children and the media. We treat this as an ethical concern because we implicitly assume that we must simultaneously protect our children and invest in them all that is good because they will become the adults of tomorrow. If we cannot ethically bring up our young, how can we expect to have an ethical society? Children and youth, as I read years ago in an airport sign, are "part of our present but 100 percent of our future." Drawing on decades of studies wherein both advertisers and the media industry have sought to downplay the strong effects model, a research team composed of the foremost scholars in the field of children and the media (Anderson et al., 2003) found that "research on violent television and films, video games, and music reveals unequivocal evidence that media violence increases the likelihood of aggressive and violent behavior in both immediate and long-term contexts" (p. 81). This project updated previous research on two fronts: first it provided stronger evidence of short and long term effects; second, it included a wider range of media than just television—especially music and video games.

Violence, however, is not the only ethical issue arising out of entertainment media and our children. Other issues include overexposure to commercialization, poor eating habits, and, recently foregrounded in Hollywood films, the glamorization of smoking, which speaks to the ethics of product placement in mainstream media (Galician, 2004; Wenner, 2004). In an article on health, Kluger (2007), drawing on research published in the *Lancet* and *Pediatrics* medical journals, connects the recent popularity of onscreen smoking in Hollywood movies to the recruitment of a new generation of smokers. Not only do recent studies suggest that exposure to these movies increases the likelihood of smoking but also that those from nonsmoking homes are more affected. The glamorous representation of smoking sanitizes what those from smoking

households experience negatively at the level of smell and vision (stuff like stinky clothes, dirty ashtrays). Health experts and children advocates worry about the ethical implications of glamorizing smoking for children who have no exposure to its negative side effects. However, they have to battle against an industry that both downplays effects and that is far more responsive to the profit motive than to ethical issues. An unusual admittance of guilt brought on by the diagnosis of throat cancer was displayed when screenwriter Joe Eszterhaus wrote an op-ed piece in the *New York Times* about how he had contributed to the promotion of cigarette smoking to young audiences and how he wished he could take it back (Watson, 2004). More often health and children advocates are relegated to talks with Hollywood executives, the same people who strike lucrative tie-in deals with tobacco companies—*Thank You for Smoking* (2005), for instance, was a satirical treatment of this Hollywood–tobacco industry collaboration.

VIGNETTE 4

Former professional football players' brain injuries resulting from concussions and the resulting backlash from the NFL provide us with yet another example of "What Can We Get Away With? The Ethics of Art and Entertainment in the Neoliberal World". Following the airing of the documentary and publication of the book by the same name, *A League of Denial: The NFL's Concussion's Crisis*, Chronic Traumatic Encephalopathy [CTE] is more broadly recognized as a life-threatening issue that afflicts many former players and documents their claims for mental and physical health coverage. The NFL's denial abetted by their dismissal of scientific evidence and their efforts to fund their own scientists illustrates the value of major league sports as a televised entertainment and profit generating component of mass media that delegates human safety to the back burner. Similarly, *The Hunting Ground* (2015) documentary partly links major universities' underreporting of sexual assault on campuses to the brand of a university, which includes its major sports team as a source of revenue. No longer are education and the safety of students paramount. These vignettes take us full circle to the Parisian art scene in that the study of the ethics of art and entertainment must be considered in a global context where the profit motive is so strong as to nearly trump all other concerns.

ETHICS OF ENTERTAINMENT AND ART WITHIN MEDIA STUDIES

The ethics of art and entertainment in the contemporary world generates many issues. Carroll (2000) documents the philosophical interest in the connections between ethics and aesthetics dating back to Plato and continuing into the eighteenth century. However, due to a variety of reasons beyond the scope of this chapter, having to do with tensions between utilitarian and Kantian philosophy, until recently there has been a two-century neglect of the connections. Contemporary ethicists treat art and entertainment media as the same category. For example in his exhaustive overview of recent research in art and ethical criticism, Carroll (2000) includes examples of Hollywood (*In and Out*) and European film, including the infamous Nazi-era *Triumph of the Will* by Leni Riefensthal, opera, literature (Shakespeare, Jane Austin, Herman Melville), paintings, and so forth. At a point in the essay he asks:

> There are so many kinds of art which mandate so many different kinds of audience responses. What if any significance do the Sex Pistols, the Egyptian pyramids, and Rembrandt's *Girl Sleeping* have in common? Why imagine there is a global criterion applicable to all arts? (p. 358).

This quote suggests that from an ethicist's perspective, approaches to art and entertainment are similar if not inseparable, and I use it for many reasons. First it points to the important issue of reception. Second it covers a wide range of artistic forms, across time, space, and media. Third it points to the difficulty of developing one standard. Fourth, it acknowledges the "global," even if in a generic sense.

Within communication and media Christians (2000, 2004, 2005, 2019) and Christians and Nordenstreng (2004) underscore the historical, theoretical, and philosophical importance of ethics and media studies (see Christians, 2005). Issues of truth, voice, authenticity, appropriation, and representation are principles to strive for, even if they are routinely violated in a world that is mostly ruled by a capitalist transnational system that claims amorality but borders on and crosses into immorality. Christians (2004) suggests that the study of media ethics is a rather new undertaking, with its news component predating more recent entertainment and art focus. Yet the study of ethics overlaps with older traditions within the field of media studies. We care about ethics because we hope that "media can contribute to high quality social dialogue" (Christians, 2000, p. 182). Can truth telling, for instance, be a moral standard that we should expect from media professionals? Christians (2000) foregrounds this value: "Truth telling is the ethical framework that fundamentally reorders the media's professional culture and enables them to enrich social dialogue rather than undermine it" (p. 182).

Truth telling is inextricably linked to professional codes of objectivity for those producing, for example, television entertainment, who still have to abide by professional guidelines (Katan and Straniero-Sergio, 2001). We need to remember, however, that these guidelines may vary on a country-by-country basis, and even on a region-by-region basis, especially if the country is large or fragmented. For instance, the First Amendment is not a global law but rather part of the U.S. Constitution. Asserting its primacy across the globe smacks of imperialist ethics—somewhat of a contradiction in terms.

While there are still educators and politicians who strive to draw the thin line between art and entertainment, blurring of these lines is evident in aesthetic theory (see Carroll, 2000) and in media and cultural studies. Scholars and new media genres challenge the traditional separation between information/education and entertainment/leisure. In particular, hybrid genres of "infotainment" such as some forms of talk shows, entertainment news, and the inclusion of celebrity culture in most U.S. news venues in CNN, which makes it look more like *E!* than a news channel, should prompt us to reconsider the tenets of liberal philosophy that undergird so much of media production and ethics.

The fact that *Comedy Central*, a U.S. cable network, has a Pulitzer Prize winning news show, the *Daily Show*, should tip us off that people are processing and consuming news differently from before. Granting a show in a comedy network more attention and legitimacy than traditional venues such as the prestige press and news networks—for the Pulitzer Prize is about the hallowed standards of journalism—suggests a production, audience, and critics' shift in valuation. Whereas information was deemed to be the core of liberal philosophy's privileging of the educational and democratic components of the media, the latter, entertainment/leisure, were, until quite recently the discarded and derided material that we now know as popular culture. However as many cultural studies scholars haven noted (see Giles and Middleton, 1999; Japp et al., 2005; Storey, 2003), art and entertainment not only educate us all but are nearly impossible to separate from news and information as they are all material produced within culture. As such they circulate understandings that shape and are shaped by culture. This cultural turn has spurred media ethics scholars (e.g., Good and Dillon, 2002; Katan and Straniero-Sergio, 2001; Smoot Egan, 2004; Watson, 2004) to pursue arts and entertainment as a primary focus. In fact, dating

back to the 1980s scholars sought to connect the literature and research on the visual to that of ethics (Gross et al., 1989).

The global dimension of art and entertainment, though treated by some as a new thing, actually has concerned philosophers for centuries and, more recently, media theorists since the eighties. Thus *Communication Ethics and Global Change* (Cooper, 1989) explored, on a country-by-country basis, ethical issues of the media. That national focus, though still important, is lately being complemented by a transnational approach that takes hybridity, at the level of genre and of population, as central. For example, in an essay about Italian television and hybrid genres Katan and Straniero-Sergio (2001) remind us that there is cultural variability to measures of sincerity.

Unsurprisingly measures of good taste and of sexual explicitness also vary cross-culturally. For example, German over-the-air television broadcasts frontal nudity after 10 p.m. while U.S. television has a much more internally contradictory approach to matters of sexuality and nudity. On the other hand, the level of violence in U.S. television seems to be unchecked whereas in other countries there are stricter guidelines for this type of content. Similarly there is a wide range of tolerance for representations of gender in general and women in particular throughout the globe. Nonetheless, as media circulates globally and populations experience forced or voluntary mobility, some form of transnational professional ethics seem to be in order. Although art and entertainment circulate globally, not all global players are equally empowered, and thus ethical components must take power differentials into account.

The study of the ethics of art and entertainment also implicitly overlaps with the dominant social scientific paradigm of the "effects" tradition within U. S. communication and media studies.[1] Ethics is to the humanist as effects is to the scientific approach. In fact, one might say that the implicit ethical concern drives the effects tradition. Why would we care about children and youth and the media were it not for a normative concern? Why would community standards be of importance if negative effects, in the sense of anti-social and disruptive implications, were not part of the picture? The inclusion of children and youth, moreover, reinforces the move from a focus on news and information to entertainment and art. Even education is moving from a straightforward delivery of information to a more entertaining delivery that might attract a longer attention span and bigger, or at least, more desirable target audiences. For instance, the Tate Modern in London employs interactive audiovisual pads for children to navigate the extensive collection and unusual building.[2] Nearly all major museums, such as the Chicago Art Institute, the Metropolitan Museum of Art in New York, the Prado in Madrid, and the already mentioned Tate Modern make efforts to connect the art to youth's contemporary digital hi-tech sensibilities.

Why is it, then, that media and art are combined to provide a suitable and entertaining option for children? To be sure, children travel with parents and this strategy brings in a bigger total of visitors. However, another reason is the normative belief that art makes us all better citizens, a still strong Arnoldian vestige. Maybe an art literate child will be a more tolerant, creative, cosmopolitan adult? Ethical issues function in concert with that of implicit effects. For instance, violence, consumerism, and smoking effects implicitly evoke ethics. Ethics and effects are intertwined and mutually inform each other. In a cultural climate wherein scientific evidence is the most authoritative, both government and industry demand at least strong correlations and contributing factors before policy measures can be considered.

Another major area of media studies that predates and greatly overlaps with the study of the ethics of art and entertainment is the political economy of communications, a normative theory that examines power in media (McQuail, 2005; Mosco, 2014). As Christians (2004) begins in his essay "Ethical and Normative Perspectives," media ethics are about "recognizing the power

of mass communications in today's global world" (p. 19). Issues of power in a transnational context are of major concern to scholars of political economy. We cannot discuss anything in the contemporary world, and certainly not media and entertainment, without attention paid to the global political economy of media industries (Herman and McChesney, 1997; Mosco, 2004, 2014; Schiller, 2007). Again, as with effects, the concern with concentrated ownership and control of the media across the globe implicitly references the potential that the profit motive will trump any moral or ethical sensibilities. Although Marx called capitalism an "amoral" system, many currently would argue that it is downright immoral. Globalization, a form of speedy and widespread global interconnectivity accompanied by concentrations of ownership and control, has immense ethical implications for the global North and South. New technologies may use new modalities of delivery but are subsumed under corporate structures. The most powerful contemporary Diaspora is transnational capital. In fact, just as with radio and television, the same networks/conglomerates appear prominently with new media, though with some newcomers. In the 1970s the United States appeared as a nearly undisputed hegemony on global communications, in hardware and software. By 2007 Jeremy Tunstall revised the title of his book *The Media Are American* (1977) to *The Media Were American* (2008). In thirty years despite the rise of other global participants, the United States remains a major player in global communications (Morley, 2006). In many markets, the United States remains a prominent if not dominant presence in terms of media, software, and genres. Synergy and convergence in terms of ownership and media delivery mean that art and other forms of entertainment are likely to be circulated, distributed, and exhibited by the same conglomerate. Hollywood product placements are influenced by these synergies though the most successful participant and arguably the creator of synergy is Disney.

Issues of synergy, conglomerates, and transnational media concentration focus our attention on the footloose capital that characterizes the contemporary neoliberal era and has no patience with ethics. When ethics interferes with productivity and profit, mobility can always be the answer. Whereas Don Imus has to respond within a national space, albeit temporarily, transnational corporations have the luxury of exploring other countries in the case of ethical violations ranging from content to poor treatment of workers and endangering the environment. As a result, art and entertainment ethics have to be globally considered although ethical issues are usually approached on a case-by-case basis. For instance, if we consider the First Amendment to the U.S. Constitution as one of the backbones of ethical approaches in media content, then we have to realize this is a national issue. However, the fact that media, entertainment, and art are now usually transnationally produced and distributed, makes many U.S.-based media issues global ones. That the U.S. is exporting capitalism goes without saying. Yet exportation includes some degree of glocalization—that is, the acknowledgment that products have to be somewhat tailored to a local situation. Yet as Herbert Schiller (1989) encouraged us to ask long ago, what else are we exporting? Is it a way of life beyond just media genres and particular products? Are we exporting anorexia, for example? Or bad eating habits? Smoking and violence? Contributing to the growing existence of violent adults? Lest we assume a media-centric approach, the issue of contributing to an eco-system rather than causing an effect remains at the core of ethical research in the media.

Given the contemporary global situation wherein neoliberalism, with its drive for privatization and commoditization go nearly unchecked, art and entertainment as profitable components of a globally produced and circulating media circuit of culture have to be analyzed in terms of ethics and be subject to some form of ethical standards. The problem, of course, lies in the tension for some form of global ethical standard, or protonorm, and the need to pay attention to cultural differences and sensibilities. We certainly would not advocate deploying, yet again, another

imperialistically conceived standard yet we must be able to voice, as global citizens, some ethical concerns that will value the sanctity of life and the environment. Christians and Nordenstreng (2004) suggest:

> Instead, universal ethical principles are the most appropriate framework, and the cross-cultural axis around which these principles revolve is the sacredness of human life. Embedded in the protonorm of human sacredness are such ethical principles as human dignity, truthtelling, and nonmaleficence. These principles are citizen ethics rather than professional ethics (p. 3).

In an effort to develop a protonorm with global sensitivity and agreement, the participants in the above project sought to bring the issue of ethics and media to something all could agree with: human sacredness. As an ethical standard, if human sacredness is violated, no matter what the cultural context, a line has been crossed and all of us as members of a global community ought to censure it and work toward its correction and disappearance. As well, the move from professional to citizen ethics broadens the scope to not just media producers but to all of us who are enveloped in a media world as citizens striving for democracy. Similarly Cornell West, the philosopher, advocates love and hope as forms of ethical engagement in contemporary life (McPhail, 2002), extending issues of the ethics of art and entertainment to reception. In fact many of the essays in Japp et al. (2005) are "grounded in the assumption that humans construct meaning in and through symbol systems and that these constructions are imbued with ethical implications and rhetorical potential" (p. 8).

Extending art and entertainment ethics to the audience, and more inclusively, to the citizenry, brings up questions of enfranchisement, especially along the lines of difference. One difference already mentioned, that of age, resonates with media scholars as we, all of us implicitly adult, are guardians of youth. Other components of difference such as transnational experience are also included in approaches that seek to develop ethics for global change or establish a proto-norm. Still the two most often mentioned categories of difference, gender and race, remain to be discussed.

As Ella Shohat (1991) notes, race is always present in media, whether explicitly, at an "epi-dermal" level, or implicitly. Contemporary scholars of race and gender historicize this remark and document its persistence. The vignettes at the beginning of this chapter illustrate this point. First, the art collector's world was mostly a white one representing whiteness. The ethical impli-cations of Gauguin's representations of natives in relation to nature and to the implicit superiority of the European subject were explored after his death (Dorra, 2007). Nonetheless his paintings speak to race, voice, and representation, which demand an ethical engagement with issues of the ethics of art and entertainment (hooks, 1994, 1995; Valdivia, 2002). Who represents whom and for what purposes, guides contemporary ethics of art and entertainment. How are narratives of racial difference, deployed to curtail social justice, included in art and entertainment?

In the Don Imus controversy, issues of race and representation are explicitly and imme-diately apparent. Yet it took nearly a week for the CBS radio network to take a stance on the comment and less than a year for Imus to secure a gainful contract with ABC after this scandal! Imus's remarks represented a largely working class group of mostly African-American basket-ball players within narratives of race that code African-American women as sexually deviant and permanent members of the underclass "hos" as well as unable to conform to Eurocentric ideals of beauty—"nappy headed." The reaction from many different constituencies was immediate in its ethical critique. What does a comment like this tell girls/women in general and African-American girls/women in particular? Was the fact that the team was composed of high achieving college students not relevant to the residual coding of all women of color as underclass? What was the

racial implication being made in relation to other women's basketball teams composed mostly of white players? Was this any different than former Penn State women's basketball coach Renee Portland's public remarks that her team harbored no lesbians? Who was the implicit listener of the show and shock radio? What does it tell us that such shows are highly rated and that their hosts make millions of dollars a year to spew exactly such comments? Did the FCC and community standards have a responsibility to ban such remarks? Some advertisers did not wait—American Express, Staples, and Procter & Gamble pulled out. Imus responded:

> This phrase that I use, it originated in the black community. That didn't give me a right to use it, but that's where it originated. Who calls who that and why? We need to know that. I need to know that (Poniewozik, 2007, p. 35).

In a multicultural world in which many previously marginalized, oppressed, or unacknowledged populations are beginning to gain a voice and representation in relation to the ethics of art and entertainment, these questions have no easy answers. In fact these very same gaffes have happened to many other public figures, with differential effects. The immediate link to the frequent use of this word as well as many others in rap, hip hop, and the comedy of Chris Rock, for example, was inevitable. Feminists, white and black, weighed in on the misogyny of music and comedy. If anything can be said of the Imus case, it opened up a discussion that many did not want to enter as it highlighted the huge profits to be made from racist and sexist programming. The question that seems to guide these shock jocks is not what is ethical but what can we get away with?

Children and youth smoking as a media issue implicitly takes up issues of race and gender. Much of the children and the media literature implicitly recruits us to approve of the normalization of white middle-class childhood with class and race difference usually coding in for deviance. Unstated in the concern for the stronger effects upon children who do not live in smoking families is that these are white middle-class children we are talking about. We are implicitly assuming that smoking is more prevalent in racialized and working-class families. Hollywood never stopped representing smoking, but until recently it was used as a code for precisely working- or underclass, deviant, or people of color. A recent change in representation is that the epitome of beauty, heterosexuality, and white femininity, Scarlett Johansson, is now the one smoking. This is troubling because this can potentially recruit "our" children, the children of the implicit reader of *Time* magazine, in its entire *People*-like splendor. More recent legalization of marihuana products is sure to recycle this moral panic about children and drugs. Scholars such as Tiffany Bowden have begun to research racialized approaches to the coverage of cannabis in the media.

Smoking violates the protonorm, the sanctity of human life, because it has been scientifically proven to cause cancer. It also affects us all through second hand smoke. The effects are material as well as biological. Not only does the body deteriorate, but the costs to U.S. taxpayers and the economy, in terms of massive health care expenditures and lost hours of work, are huge. There are ethical issues with the glamorized representation of smoking for it encourages behavior that threatens the sanctity of life. Similarly the pleasure some get from major league and college football as a sport has to be weighed against the toll it takes on the football players for their lifetime, which might be shortened due to repetitive injury such as CTE, and on female college students who may have been sexually assaulted by some star players. Tensions between ethical considerations and the profit motive pervade all of the vignettes. While shameless marketing of cigarettes to children is largely frowned upon, the prevalent use of product placement in Hollywood film (Galician, 2004; Wenner, 2004) is a way around the ethics of entertainment. The complicit avoidance of mainstream media to picture celebrities smoking, dating back to Jackie-O who died of cancer, to present-day starlets such as Paris Hilton and Lindsay Lohan, speaks of an effort to

shield special people from the stigma of smoking than our population from its glamorization. The equally shameless effort of the NFL to try to refute scientific evidence of long term effects of repeated concussions was an attempt to shield a multi-billion dollar business from controversy and accountability as is the University of Florida's reticence to charge a major football player for sexual assault lest it hinder his Heisman Trophy chances and, more importantly, the university's ability to cash in on sports revenues.

CONCLUSION

I have charted a path of considering art and entertainment as forms of popular culture that have been a concern to philosophers and more recently media scholars and the general public. After a brief two-century break, the ethics of art and entertainment have returned to the attention of philosophers. Yet as Christians and Carroll note, contemporary discussions might deal with newer technologies but they echo issues dating back to Plato. Using vignettes as a device to discuss ethical issues in art and entertainment, we can see that issues of appropriation, transnational flows, race and gender, and the profit motive are long-standing and enduring. That race and gender are discussed more contemporarily does not mean that the issues were not present in Plato's or Vollard's time. In an accelerated global concentration of ownership and control of the media, major ramifications for ethics arise. At a national level, the drive for profit trumps ethical principles in all but the most extreme cases. Don Imus still has a very successful career. As with previous shock jock controversies, he is better paid than before.

At a transnational level, our ability to export mass quantities of entertainment and the synergistic capabilities to circulate art in tandem with other forms of entertainment potentially means that we are exporting our ethics. The effort to come up with a universal agreement about a set of ethics of entertainment has resulted in human sacredness as a protonorm. That remains a guiding form at the level of principle. Yet at the level of practice what seems to be most operative is the range of things that a person or corporation can get away with. Ethical guidelines are just that—guidelines. It remains up to all of us as global citizens to strive for a more just and ethical media. Thus Christians and Nordenstreng's (2004) change from professionalism to ethics both universalizes and democratizes the practice and enforcement of ethics.

NOTES

1. I single out the United States because the dominant paradigm speaks to the endurance of positivism within the U.S. academy. Communication and media studies globally do not necessarily deploy the same paradigms, or at least the same dominant paradigms.
2. From an anecdotal perspective, the Tate Modern electronic pad was a total hit with my then seven and 22-year-olds. My mother and I could not figure out how to use it!

REFERENCES

Anderson, C. A., Berkowitz, L., Donnerstein, E., Huesmann, L. R., Johnson, J. D., Linz, D., … Wartella, E. (2003). "The Influence of Media Violence on Youth." *Psychological Science in the Public Interest*, 4(3), 81.

Carroll, N. (2000). "Art and Ethical Criticism: An Overview of Recent Directions in Research." *Ethics*, 110(2), 350–387.

Christians, C. (2000). "Social Dialogue and Media Ethics." *Ethical Perspectives*, 7(2–3), 182–193.

Christians, C. (2004). "Ethical and Normative Perspectives." In J. H. Downing (Ed.), *The Sage Handbook of Media Studies* (pp. 19–40). Thousand Oaks, CA: Sage.

Christians, C. (2005). "Foreword." In P. Patterson and L. Wilkins (Eds.), *Media Ethics: Issues and Cases (pp. xiii–xv)*. Boston, MA: McGraw–Hill.

Christians, C. (2019). *Media Ethics and Global Justice in the Digital Age*. New York: Cambridge University Press.

Christians, C., and Nordenstreng, K. (2004). "Social Responsibility Worldwide." *Journal of Mass Media Ethics*, 19(1), 3–28.

Cooper, T. W. (Ed.). (1989). *Communication Ethics and Global Change*. White Plains, NY: Longman.

Dorra, H. (2007). *The Symbolism of Paul Gauguin: Erotica, Exotica, and the Great Dilemmas of Humanity*. Berkeley, CA: University of California Press.

Galician, M. (Ed.). (2004). *Handbook of Product Placement in the Mass Media: New Strategies in Marketing Theory, Practice, Trends, and Ethics*. New York: Best Business Books.

Giles, J., and Middleton, T. (1999). *Studying Culture: A Practical Introduction*. Oxford: Blackwell.

González, D. (2008). "Watching Over the Border: A Case Study of the Mexico-United States Television and Youth Audience." In A. N. Valdivia (Ed.), *Latina/o Communication Studies Today (pp. 219–236)*. New York: Peter Lang.

Good, H., and Dillon, M. J. (2002). *Media Ethics Goes to the Movies*. Westport, CT: Praeger.

Gross, L., Katz, J. S., and Ruby, J. (Eds.). (1989). *Image Ethics: The Moral Rights of Subjects in Photographs, Film, and Television*. New York: Oxford University Press.

Herman, E. S., and McChesney, R. (1997). *Global Media: The New Missionaries of Corporate Capitalism*. London: Cassell.

hooks, B. (1994). *Teaching to Transgress: Education as the Practice of Freedom*. New York: Routledge.

hooks, B. (1995). *Art on My Mind: Visual Politics*. New York: New Press.

Japp, P. M., Meister, M., and Japp, D. K. (Eds.). (2005). *Communication Ethics, Media, & Popular Culture*. New York: Peter Lang.

Katan, D., and Straniero-Sergio, F. (2001). "Look Who's Talking: The Ethics of Entertainment And Talkshow Interpreting." *The Translator*, 7(2), 213–238.

Kaufman, G. (2007, May 15). "Is Shock Radio Dead? More Potty-Mouthed DJs Join Don Imus in Doghouse: Bad Boys Of Radio Living on Borrowed Time As Sexist, Slur-Filled Gags Garner Suspensions, Firings." Retrieved from www.Mtvnews.com.

Kluger, J. (2007). "Hollywood's Smoke Alarm." *Time*, April 23, 59–61.

McPhail, M. L. (2002). "Race, Coherence, and Moral Knowledge: Cornel West's Rhetoric and Politics of Convergence." In S. L. Bracci and C. G. Christians (Eds.), *Moral Engagement in Public Life: Theorists for Contemporary Ethics (pp. 224–237)*. New York: Peter Lang.

McQuail, D. (2005). *McQuail's Mass Communication Theory* (5th ed.). London: Sage.

Morley, D. (2006). "Globalisation and Cultural Imperialism Reconsidered: Old Questions in New Guises." In J. Curran and D. Morley (Eds.), *Media and Cultural Theory* (pp. 30–43). New York: Routledge.

Mosco, V. (2004). *The Digital Sublime: Myth, Power, and Cyberspace*. Cambridge, MA: MIT Press.

Mosco, V. (2014). *The Political Economy of Communication* (Kindle Edition ed.). Thousand Oaks, CA: Sage.

Poniewozik, J. (2007). "Who can say what? *Time*, April 23, 32–38.

Schiller, D. (2007). *How to Think About Information*. Urbana, IL: University of Illinois Press.

Schiller, H. (1989). *Culture Inc. The Corporate Takeover of Public Expression*. New York: Oxford University Press.

Shohat, E. (1991). "Ethnicities in Relation: Toward a Multicultural Reading of American Cinema." In L. Friedman (Ed.), *Unspeakable Images: Ethnicity and the American Cinema* (pp. 215–250). Urbana, IL: University of Illinois Press.

Smoot Egan, K. (2004). "The Ethics of Entertainment Television: Applying Paul Ricoeur's Spiral of Mimesis for Authenticity as a Moral Standard." *Journal of Popular Film and Television*, 34(1), 158–166.

Storey, J. (2003). *Inventing Popular Culture: From Folklore to Globalization*. Oxford: Blackwell.

Tunstall, J. (1977). *The Media Are American*. New York: Columbia University Press.

Tunstall, J. (2008). *The Media Were American: US Mass Media in Decline*. New York: Oxford University Press.

Valdivia, A. N. (2002). "Bell hooks: Ethics from the Margins." *Qualitative Inquiry*, 8, 3.

Watson, M. A. (2004). "Ethics in Entertainment Television: Introduction." *Journal of Popular Film and Television*, 34(1), 146–148.

Wenner, L. A. (2004). "On the Ethics Of Product Placement In Media Entertainment." In M. Galician (Ed.), *Handbook of Product Placement in the Mass Media: New Strategies in Marketing Theory, Practice, Trends, and Ethics* (pp. 101–132). Binghamton, NY: Best Business. Books.

19

Culture Is Normative

Chad Painter

The average American spends a lot of time each week on arts, entertainment, and leisure. As reported in the popular press, Americans daily watch about 90 minutes of Netflix and five hours of television, and listen to more than four hours of music. Additionally, they annually watch an average of five movies and read or listen to an average of 12 books. When Americans de-screen, they shop, buying new clothes at a clip of $75 per month. These statistics are not meant to be scientific, but they are illustrative of a simple construct: Culture—whether arts and entertainment such as movies, television, music, and books; fashion; or sports—is integrated throughout our daily lives. Raymond Williams (2000) argued that culture is ordinary because it is part of one's everyday life and experience. Culture, while active and changing, is a common and accessible experience available to everyone.

Here, culture is comprised of two distinct parts. The first part is "the known meanings and directions, which its members are trained to" (Williams, 2000, p. 6). This component of culture encompasses the everyday experiences, societal characteristics, norms, languages, and shared history that collectively create the imagined community of a culture or nation. Culture in this sense is anthropological; it is the collective practices and values that create broad cultures such as the Mayans or the Vikings or more narrow contexts such as Hippies or Patriots Nation. The second part is "the new observations and meanings, which are offered and tested" (Williams, 2000, p. 6). Culture in this sense includes human artistic achievement, cultural phenomenon, and the consumption of goods and leisure activities. It is, as Williams describes, the special processes of discovery and creative effort that help create or expand the experiences, characteristics, norms, languages, and history that collectively create the first instance of culture. However, the second, artistic component also changes, and hopefully enhances, the first because small differences of behavior or variations of speech habit can help create new patterns of culture, or subculture or counterculture, that also might positively or negatively influence the broader culture.

Because culture is ordinary, or part of everyday life, it also could serve a normative role. In other words, culture is normative. Traditionally, politics has been the lynchpin of normative theory. However, politics and political coverage are not the only types of information that contribute to democracy and democratic discourse. Culture also is an important component of a community and democracy. Culture helps build those communities that are a necessary component of democratic action. Indeed, culture might help build communities in a way that politics could not or

does not. While politics are an important component of normative theory, they are not the only component. Culture also is an important and possibly even necessary component of democratic and political action. Scholars should begin to rethink normative theory to include a cultural component. While a radical rethinking of normative theory is not necessary, the inclusion of culture is a needed and necessary addition. What follows are three components of culture that scholars could use as they begin incorporating culture into normative theory.

Culture helps create a worldview because it is part of a person's everyday life and experience. Culture, therefore, can contribute to a sense of togetherness and a vision of community. For example, sports are culturally important because more than 100,000 people in Ohio Stadium could be rooting for the Ohio State Buckeyes to beat the Michigan Wolverines. Those 100,000 have a sense of community, of shared purpose, at least for the length of a ballgame. Similarly, the Hippies in the 1960s were not just advocating for the end of the Vietnam War, and rights for blacks, women, and gay men. They also were building a community on a shared love of rock and roll and other forms on then-controversial arts. That bond, or common experience, could help foster a sense of community, and that community could then, together with similar communities in other parts of the country, begin to form a larger social movement.

Culture also is often directly political. For example, Public Enemy's "911 Is a Joke" and N.W.A.'s "Fuck Da Police" critique police actions in traditionally black neighborhoods in a much more effective way than a news story could ever hope to do. Coverage of culture and cultural issues, therefore, can be political, or at least aid political discourse. Cultural spaces also might foster political discussion. For example, the closing of the New York punk rock mecca CBGB on the surface might seem like a routine nightlife story. However, bars such as CBGB largely have replaced the coffeehouses envisioned by Jürgen Habermas as the meeting space for the engagement of rational-critical debate. Any conceptualization of normative theory ought to make this necessary connection clear.

Finally, culture can invert the power structure both in a political sense and also in the meanings created by artists, the subjects they consider, and the way they express those subjects artistically. Artists from Woody Guthrie to Jason Isbell have expressed themselves via politically themed art. Historical and contemporary mass gatherings simultaneously are artistic and political. People came to the 1972 Wattstax concert not only to hear Isaac Hayes and the Staple Singers but also to continue to rebuild the Watts community in Los Angeles following riots seven years earlier. The True/False Film Festival in Columbia, Missouri, every year features a wealth of documentary films. However, the messages in those films are furthered by question-and-answer sessions between the audience and the filmmakers or subjects, as well as continued discussions between festival attendees throughout the weekend.

The argument that threads throughout this chapter is that culture, specifically arts and entertainment, needs to be taken seriously by scholars theorizing about a socially responsible normative role for media organizations. The next section is focused on the concepts of political humor, especially in the context of mock news programming such as *The Daily Show* and its various offshoots. Then, there will be an exploration of the portrayal of journalists in movies and television. In a section on social responsibility theory, the author will begin a discussion on why normative theory should apply to entertainment programming and why media ethicists need to seriously begin to contemplate a normative code for entertainers similar to the Hutchins Commission guidelines for news journalists. Finally, there will be a discussion and rebuttal of Neil Postman's central argument in *Amusing Ourselves to Death*. One caveat: The thoughts in this chapter are not meant to be definitive; instead, they are designed to begin a dialogue and establish a possible frame for a discussion about normative theory regarding arts and entertainment programming.

THE ROLE OF HUMOR IN POLITICAL DISCOURSE

Humor typically has a larger purpose in social and political life than simply attempting to get laughs or knowing nods (Feinberg, 1967). Modern political comedy follows a rich tradition of satire with deep roots stretching to the work of playwrights such as Aristophanes, Diogenes, Erasmus, and Shakespeare, as well as farcical newsvendors of seventeenth century European country fairs. In England, political comedy stretches at least as far as Jonathan Swift's *A Modest Proposal* and continues into the twentieth century with the various Monty Python projects and the Stanley Kubrick film *Dr. Strangelove*. David Frost made his name hosting *That Was the Week That Was* before cementing a journalistic legacy with his series of interviews with former President Richard Nixon. John Oliver, who served as a correspondent on *The Daily Show* before hosting his own HBO program *This Week Tonight*, arguably is the most popular British political humorist today.

Purely American political comedy and satire traces its roots to writings by Benjamin Franklin and Mark Twain, as well as monologues by Will Rogers. Today, that mantle is carried first by Jon Stewart and then by Trevor Noah on *The Daily Show*, Stephen Colbert on *The Colbert Report* and then *The Late Show*, Samantha Bee on *Full Frontal*, *Saturday Night Live*'s Weekend Update, Andy Borowitz in *The New Yorker*, and the writers at *The Onion*. Political humor also has been an integral part of the work of political cartoonists from Thomas Nast to Garry Trudeau, as well as television shows with undercurrents of politics such as *South Park*. Indeed, the jurists on the U.S. Supreme Court thought so highly of the importance of political discussion via cartoons that they upheld protections in the 1988 case Hustler v. Falwell, stating that *Hustler* publisher Larry Flynt should not be punished because of the informational importance of political cartoons, which often base their depictions on unfortunate physical traits or events. Political humor, though, is not confined to two countries. Indeed, there are several international examples, from the cartoonists at *Charlie Hebdo* in France, to televisions programs such as *The Haute Show* in Germany, the *Witty Seven* in Hungary, *Al Bernameg* in Egypt, and *This Hour Has 22 Minutes* and the *Rick Mercer Report* in Canada.

Political humor also has found its way past arts and entertainment and toward more traditional types of political discourse. Cable news hosts such as Keith Olbermann and Rachel Maddow, and documentary filmmakers such as Michael Moore use satire as one tool in the repertoire (Tally, 2011). Much like traditional humorists, they use satire to highlight absurdities in political discourse and coverage, and to appeal to larger audiences. Here, satire is defined as a type of humor—typically involving sarcasm, ridicule, irony, and exaggeration—used to expose, magnify, or criticize incompetence, stupidity, corruption, or wrongdoing (Highet, 1962; Knight, 2004). Political satire "encourages critical debate, sheds light upon perceived wrongs within society and government, points out hypocrisy, and makes political criticism accessible to the average citizen" (Caufield, 2008, p. 4).

Some scholars argue that younger audiences increasingly are turning away from more traditional news sources such as network or cable news and toward unconventional alternatives such as *The Daily Show* (Baumgartner & Morris, 2011), while others argue that late-night comedy viewers are more likely to be or become interested in traditional forms of news (Feldman & Young, 2008). The balance between these two poles is to conclude that few Americans rely exclusively on one media source; the most knowledgeable and politically active citizens have a varied news diet that might include both the *NBC Nightly News* and *The Daily Show*. The influence of political comedy, therefore, might be diminished by factors such as internal efficacy, discussion frequency, online interaction, and network size (Hoffman & Thomson, 2009; Lee, 2012). Still, comedy programs with healthy doses of political satire also might serve as a gateway

to increased audience attention to news and public affairs by providing basic knowledge and familiarity with traditional news topics (Baum, 2003; Cao, 2010). Satirical programming often piggybacks content from traditional news programming, so, once people gain a basic or cursory knowledge about a political topic from satirical programming, they are more likely to continue to engage if that topic is later encountered in more traditional news programs because of the lower cognitive cost (Caufield, 2008; Feldman, Leiserowitz, & Maibach, 2011).

The Daily Show or *This Week Tonight* should not be seen as "real" news, but these shows highlight that all, or at least most, news is now entertainment, no longer bearing much, if any, relation to the "real" (Tally, 2011). Indeed, Stewart and his ilk provide a needed counterbalance "in a public culture where one has to wonder if real news is fake, and where one often wished that were so" (Hariman, 2007, p. 275).

Cable television comedians have influenced how viewers perceive "real" news in four important ways. First, they have altered the recognizable boundaries of the journalistic community (Tenenboim-Weinblatt, 2009). The comedians, who almost uniformly declare that they are not journalists even though they routinely perform journalistic acts, blend healthy doses of explanatory journalism, news analysis, and editorials with laugh-out-loud humor. Each conduct interviews with newsmakers such as elected representatives and political candidates, journalists, and celebrities. Second, they alter mainstream coverage by breaking through false shells such as objectivity, often blending comic, political, and partisan discourse; reframing policy debate; and helping to set the political agenda (Jones & Baym, 2010; McBeth & Clemons, 2011). Third, Stewart and his colleagues routinely hold traditional broadcast news outlets accountable to the public by pointing out falsehoods, pointing out inconsistencies, pointing out when inconsequential news is blown out of proportion, and critiquing the very nature of broadcast news (Painter & Hodges, 2010). The "mock" news hosts point toward the misinformation, biases, and inadequacies of their "real" news counterparts (Wisniewski, 2011), interrogating content that is "arguably failing its democratic function" (Baym, 2005, p. 268). Finally, these comedians counterbalance traditional news reporters through the use of jokes and exaggerated faces and vocal inflections. Indeed, by playing the role of real reporters, and by playing that role so well to often be indistinguishable from their traditional counterparts, mock journalists suggest that "real" journalists also simply are playing a role (Baym, 2005).

People often laugh at surprising or odd occurrences, so fully understanding satire is not required for a satirical joke to be perceived as being funny. However, audience members must have gained the requisite knowledge of politics, civics, and current events through other media texts or personal experiences to fully appreciate satirical humor (Fox, 2011; Young, 2008). For example, viewers of *Monty Python and the Holy Grail* could appreciate the film's humor on many levels. Some viewers could laugh at slapstick such as the Black Knight's assertion that having his arm chopped off is "Just a flesh wound" or the attack by the Killer Rabbit of Caerbannog. In order for more sophisticated viewers to nod along with their laughs, they need at least some knowledge of European or American witch trials during the scene when Bedevere is holding court while the masses repeatedly scream "Burn her," or some understanding of the devastations of the plague in Europe during the "I'm not dead yet" sequence. Specific understanding of British-French relations, as well as historical knowledge that there actually were Medieval troops whose job was to taunt opposing enemies before battle, is necessary for the two scenes of Frenchmen taunting King Arthur and his knights. Similarly, viewers need to understand the British monarchical and political system in order to fully appreciate a peasant telling Arthur that he "can't expect to wield supreme executive power just because some watery tart threw a sword at you." Finally, most likely only British viewers would get the joke that the image of the animated God was based on a picture of W.G. Grace, one of England's most famous cricket players.

Some researchers argue that there is a stronger effect of political entertainment among sophisticated viewers (Moy, Xenos, & Hess, 2005; Young, 2008) while others argue that greater effects are seen within political novices (Cao, 2010; Xenos & Becker, 2009). Viewers of political satire often are "political news junkies" who do not live in a news vacuum but also consume traditional print and broadcast news sources (Fox, 2011; Young & Tisinger, 2006). Political satire, then, is well suited to the format of mock news because audiences already know the politics, politicians, and political issues that serve as the underlying substance of the jokes through "real" news programming. The humor, and the education, then comes from incongruity between what is expected and what is presented (Meyer, 2000). Through incongruity, political satirists encourage new ways of looking at politicians and political discourse by playfully yet critically distorting the familiar or self-explanatory (Colletta, 2009; Feinberg, 1967).

Humor can be a tool used to enhance the salience of messages, increase learning and enjoyment of a subject matter, and heighten judgments of credibility, attitude change, and compliance (Nitz, Koehn, & McCarron, 2017). However, humor at another's expense can have negative effects and, therefore, can be ethically problematic (Painter & Hodges, 2010). Satirists use humor "to diminish or derogate a subject and evoke toward it attitudes of amusement, disdain, ridicule, or indignation" (Hill, 2013, p. 329). Humor during the 2016 U.S. presidential primaries was heavily negative and subversive, commonly incorporating obscenity, and distortions of a candidate's personal life and character (Nitz et al., 2017).

Satire, however, is not used just for humor; it has a larger purpose regarding social and political life (Feinberg, 1967; Hill, 2013). Political humor tends to take one of two forms: Horation and Juvenalian (Highet, 1962; Knight, 2004). Modern political humor typically follows the Horatian style of satire. Horatian satirists, who hold up human absurdities and follies to gentle and witty ridicule, comment on the ruling elite and macrolevel norms of social behavior (Highet, 1962). Horatians typically are optimists regarding humanity's willingness to overcome deficiencies once those faults are pointed out to them (Highet, 1962; Holbert, Tchernev, Walther, Esralew, & Benski, 2013). Juvenalians, by contrast, savagely and mercilessly attack vice and error with pessimism, contempt, and indignation (Sander, 1971). Horatian humor found in comedy programming such as *The Daily Show*, therefore, is "used much like the proverbial spoonful of sugar that helps the medicine go down; it keeps pointed criticisms from being perceived as being mean spirited by the audience" (Painter & Hodges, 2010, p. 259). Further, satirists do not simply highlight the failings of politicians and political institutions, but highlight the gap "between vice and virtue, between good and bad, between what man is, and what he ought to be" (Griffin, 1994, p. 36). Satirists, therefore, often promote a disappointed idealism (Jones, 2005) or positive negativity (Schutz, 1977) by balancing a pessimistic or critical outlook of the political process with an endorsement of an idealistic impression that citizens can redress these ills or follies.

THE DEPICTION OF JOURNALISTS IN FILM AND TELEVISION

Most audience members will never be a part of, or even see, a working newsroom, so these viewers could base their opinions of real-world journalists on film and television depictions of their fictional counterparts. Research into pop-culture portrayals is important; regardless of how popular culture fictionally depicts journalists, these opinions influence public opinion about real-world journalists (Ehrlich, 1997) and could influence public trust in the media (Stone & Lee, 1990). Indeed, some scholars argue that the public's perception of the journalism industry is shaped more by popular depictions of the field than the work done by actual journalists (Ehrlich & Saltzman, 2015).

The sight of a journalist on the big or little screen, and increasingly on the computer screen, is commonplace—such an ordinary part of people's everyday experience that we seldom stop to think about the bigger ramifications of what we are witnessing. One possible reason for the multitude of journalists is that the day-to-day activities of the job are interesting, or at least seem interesting to non-journalists. Journalists ask important questions, hobnob with celebrities and politicians, and typically are near the center of the action. Onscreen, journalists sometimes literally are superheroes: Both Superman and Spider-Man spend their non-villain-fighting time trying to hit a deadline.

Journalists of all stripes routinely appear in most genres of film and television. Newspaper reporters are featured in dramas such as *Absence of Malice* and *Kill the Messenger*, comedies such as *Fletch* and *The Paper*, and classics such as *Roman Holiday* and *It Happened One Night*. The inner workings of television newsrooms are played for drama in *Network* and *The Insider*, for laughs in *Anchorman* and *WKRP in Cincinnati*, and for some combination of both in *Broadcast News*. Magazine journalists take center stage in films such as *The Devil Wears Prada* and television shows such as *Just Shoot Me*, while advertisers and public relations practitioners get their star turn in *Mad Men* and *Thank You for Smoking*. There even is a film dedicated to citizen journalists: *Nightcrawler* follows a crime-scene videographer who often scoops his professional counterparts.

Since the earliest years of the film industry, journalists and journalism have played a leading role in Hollywood (Ehrlich, 1997). *The Front Page* first hit theaters in 1931, and it later reappeared as *His Girl Friday* in 1940, as well a 1974 remake starring Jack Lemmon and Walter Matthau. Each version of the comedy features two journalists who will do anything while chasing a story, including hiding an accused and escaped murderer from the police in order to get an exclusive scoop in order to beat the competition. Orson Welles's 1941 classic, *Citizen Kane*, often considered the greatest movie of all time, centers on a titular character deeply entrenched in the newspaper business; indeed, the character Charles Foster Kane is at least partially based on the lives of real-life publishers William Randolph Hearst, Harold McCormick, and Samuel Insull (Schudson, 1992).

All The President's Men (1976), arguably the most famous and iconic film about journalists ever produced, follows the investigative reporting of *Washington Post* reporters Bob Woodward and Carl Bernstein as they attempt to untangle the web of intrigue, corruption, power, and money surrounding the break-in at Washington's Watergate Hotel. Based on Woodward and Bernstein's book of the same name, the film reputably upholds the ideals that serve as the foundation of journalism and "offers journalism a charter, an inspiration, a reason for being large enough to justify the constitutional protections that journalism enjoys" (Schudson, 1992, p. 124). The film, as well as the real-life reporting, significantly and favorably influenced public opinion regarding journalism and its role in our democracy (Schudson, 1992), although myths surrounding the duo and their influence often overshadow reality (Campbell, 2016). This favorable influence underscores why public and academic understanding of popular depictions are important.

Most recently, *Spotlight* (2015) depicted *The Boston Globe*'s investigative team as it investigated widespread and systematic cases of sexual abuses by Catholic priests in Boston and the subsequent cover-up by the Catholic Church. The *Globe* earned the 2003 Pulitzer Prize for Public Service for the series, and the filmmakers won the 2016 Best Picture Oscar. Unlike *All the President's Men*, the film *Spotlight* did not have a wide-ranging positive impact for the journalism industry; Americans attitudes about the news media generally are fairly negative, although there is some division along deeply partisan lines (Barthel & Mitchell, 2017).

Television writers and producers also have used journalism extensively as a backdrop; in turn, viewers gained more data points upon which to base their notions of the field (Ryan & Revah, 1996). In a content analysis exploring depictions of journalists during the 1987 primetime

television schedule, researchers found that journalists were portrayed often, but typically as something akin to a Greek chorus on cops and crime shows in order to propel the narrative forward (Stone & Lee, 1990). Fictional television journalists, both men and women, usually were depicted favorably; newspaper journalists, however, predominantly were white men depicted negatively (Stone & Lee, 1990). Reporters also play a large role on the children's television show *Sesame Street*. Major characters such as Kermit the Frog sometimes are depicted favorably as reporters, but many minor characters consistently portray negative journalistic stereotypes such as the curmudgeon or pushy reporter (Ragovin, 2010).

On *The Mary Tyler Moore Show* (1970–1977), Mary Richards worked as an associate producer and later producer for WJM-TV, a Minneapolis television station. Richards portrayal was positive; she was seen as being "bright, attractive, well liked" and "generally happy" with a "good job that she perform[ed] well" (Dow, 1990, p. 268). While Moore was "informed by and commented on the changing role of women in American society" (Dow, 1990, p. 263), she also perpetuated many female stereotypes including being a passive, deferent, and motherly journalist who typically was on the outside of the newsroom's boy's club.

The titular *Murphy Brown* (1988–1998) is a more advanced, or at least more successful, version of Moore's Richards. Richards struggles but ultimately succeeds in furthering her career in local television. Candice Bergen's Murphy Brown begins the show's run as an unqualified success; she is the award-winning network co-anchor of a primetime news magazine. While the portrayal generally is positive, Brown is sometimes portrayed in the form of a domineering, patriarchal figure (Dow, 1992). Such a portrayal is interesting because journalistic values tend to coincide with masculine values, and newsroom managers tend to socialize women to accept these values, so women might begin acting in masculine terms to comply with the existing social culture (Beam & DeCicco, 2010; Steiner, 2008). Brown's portrayal, therefore, might be a nod to the reality that women must adapt to and adopt masculine traits in order to succeed in a perceived man's world. Both Richards and Brown were groundbreaking in terms of television, especially sitcoms, for portraying successful, single, working women (Dow, 1990, 1992).

More recent television series have been a mixed bag at best. David Simon's *The Wire* (2002–2008) has been called the most realistic depiction of a newsroom and news industry ever (Hanson, 2008; Sabin, 2011), although Simon's depictions of individual journalists have been criticized as being distorted for entertainment purposes or wholly inaccurate (Steiner, 2013). The final season, which focuses on a semi-fictionalized version of *The Baltimore Sun*, highlights a morally decaying industry. *Sun* reporters have a strained relationship with citizens and other city institutions such as the police department and the city schools, editors and reporters have to do more with less—or as City Editor Gus Haynes says, less with less—due to budget cutbacks forcing buyouts and layoffs, and newsroom tensions erupt as reporters and even some editors cut journalistic and ethical corners in an attempt to win the awards they deem necessary to move to more secure and lucrative newsrooms (Painter, 2017).

Aaron Sorkin long has been fascinated by the inner workings of television newsrooms. On *Sports Night* (1998–2000), he depicted a *SportsCenter*-like news and highlights show. Female producers ostensibly are in charge; Dana Whitaker and Natalie Hurley run *Sports Night*, while Sally Sasser produces the sister-show *West Coast Update*. However, the three newsroom leaders, as well as other female journalists, are depicted throughout the series as acting unprofessionally, displaying motherly qualities, choosing their personal lives over work, being deferential to men for ethical decisions, and showing a lack of sports knowledge compared to the male characters (Painter & Ferrucci, 2012). In the comedy, the women are portrayed as mediocre-to-bad journalists who are "incapable of existing without the protection, adoration, and support of the men" despite their obvious intelligence and capability (Ringelberg, 2005, p. 91).

Similar to *Sports Night*, the female journalists on Sorkin's *The Newsroom* (2012–2014) over-whelmingly are depicted more negatively than the men (Painter & Ferrucci, 2015). The women again ostensibly are in charge; Leona Lansing owns the news channel's parent company, and MacKenzie McHale is the producer of *News Night*, the show within the show. However, the female characters are shown as unprofessional in the newsroom, inadequate at their jobs, moth-erly and weak (Painter & Ferrucci, 2015). The journalists in *The Newsroom* also practice mar-ket-driven journalism (Ferrucci & Painter, 2016), competing for audience, sources, advertisers, and stock prices. The show depicts a news organization in crisis, where an internal fight occurs throughout the series between journalists struggling to separate economics from journalism and business executives (including, at times, some senior journalists such as anchor Will McAvoy) who want to continue the status quo where editorial decisions are driven by business interests.

Carrie Bradshaw, the central character in *Sex and the City* (1998–2004), was a different type of journalist. As a sex-and-relationships columnist for *The New York Star*, she focused on soft news as opposed to the hard news journalists in shows such as *The Wire* or *The Newsroom*. Bradshaw and her friends are successful professionals, embracing "the intellectual and sexual freedom, and independence that their success has given them" (Richards, 2003, p. 147). They are the embodiment of Helen Gurley Brown's "single girl" (Richards, 2003), seeking "sexual freedom or freer expression of [their] female sexuality" (Gerhard, 2005, p. 38). However, while Bradshaw is depicted as a successful columnist, her personal and professional life is consumed by an obsession for consumerism, a constant worry about appearance, and an unceasing preoc-cupation with men.

House of Cards released its sixth season on Netflix in November 2018, but only the first two seasons focused extensively on journalists. The two major female journalists are portrayed as dia-metric opposites (Painter & Ferrucci, 2017). Zoe Barnes, who begins the show as a reporter for the fictitious *Washington Herald* before moving to the online publication *Slugline*, is shown as being childlike, unprofessional, and unethical. She has an affair with a source, and then unques-tionably publishes material that she thinks or knows is false. By contrast, *Wall Street Telegraph* reporter Ayla Sayyad is a dedicated watchdog journalist who eschews easy fluff pieces to dig into difficult but important stories. During the series, viewers also see a definite distinction between print and digital journalism and journalists. The latter are depicted as being less ethical and more driven by self-gain, while the adoption of technology itself is shown to be a detriment to good journalism (Ferrucci & Painter, 2017).

As stated in the beginning of this section, these depictions matter. Journalists, much like cops, doctors, and lawyers, are popular subjects in both television and film. Popular culture depictions, both positive and negative, could have a socializing effect both on audiences and on young people thinking about entering the mass communication field. Audience members could think that real journalists think and act like their fictional counterparts who often are inaccurately depicted or whose actions are distorted in order to be more entertaining. For example, female journalists do not routinely have sex with their sources, although that is the impression viewers of *House of Cards*, *Thank You for Smoking*, *Crazy Heart*, and *Adaptation* (among many, many other films and television shows) would be led to believe.

SOCIAL RESPONSIBILITY THEORY AND ENTERTAINMENT PROGRAMS

In the facilitative role, media seek to promote dialogue between constituent groups in a soci-ety. The media serve as a community-building forum, encouraging dialogue in neighborhoods, churches, and other institutions divorced from state and market forces. The goal of the facilitative

role is to promote pluralism, which is a fundamental need and ideal for a functioning democracy (Christians, Glasser, McQuail, Nordenstreng, & White, 2009). The facilitative role is related to social responsibility theory, which is based on a communitarian model that seeks justice, covenant, and empowerment with an ultimate goal of social transformation (Christians, Ferré, & Fackler, 1993). The basis of social responsibility theory is that "freedom carries concomitant obligations; and the press, which enjoys a privileged position under our government, is obliged to be responsible to society for carrying out certain essential functions of mass communication in contemporary society" (Siebert, Peterson, & Schramm, 1963, p. 74).

A press based on social responsibility is premised on the idea that freedom of expression is a positive freedom, or a freedom *to do* an action (Berlin, 2002; Nerone, 1995). Expression is not an inalienable right, but a right granted to do the moral good of serving the public (Nerone, 1995). The Commission on Freedom of the Press (1947) stated that news organizations have five missions: to provide a complete, intelligent, and comprehensive report on the day's events in a context that gives them meaning; to provide a forum for comment and criticism; to provide a representative sample of the various constituent groups in a society; to report a society's goals, values, and ideals; and to provide a full account of the day's intelligence. Taken together, these five missions should promote dialogue and pluralism while simultaneously compelling the press to seek justice, covenant, and empowerment for constituent groups in a society.

There is an ethical difference between news and entertainment media; however, public discourse about politics, news, religion, education, and commerce increasingly is mediated through entertainment programming (McBeth & Clemons, 2011; Postman, 1985). All forms of political communication, including political satire, ought to be subject to normative theory (Hill, 2013) because the "boundaries between news and entertainment programming are falling fast" (Christians, Rotzell, Fackler, McKee, & Woods, 2005, p. 240). While some might argue that the Hutchins Commission findings could just as easily be applied to entertainment media, that simply has yet to be the case. With few exceptions, media ethicists generally have ignored most entertainment programming even though it constitutes the vast majority of all programming and often directly influences both the culture at large and news media more specifically.

People create political understanding through the use of diverse political content, but this content gathering is obscured by unnecessary and untenable distinctions between news and entertainment (Valdivia, 2008; Young & Tisinger, 2006). Indeed, the genres of art and entertainment serve educational purposes for society and often are all but impossible to separate from the genres of news and information (Berkowitz & Gutsche, 2012; Japp, Meister, & Japp, 2005). Further, the simplistic distinction of classifying programming as either news or entertainment obscures vast differences among shows within those classifications (Williams & Delli Carpini, 2008). For example, there is a wide gap between *The Today Show* and the *NBC Nightly News* even though both are "news" programs on the same network. Similarly, *The Daily Show* and *Drunk History* really are not comparable programs even though both are part of the Comedy Central lineup.

Media ethicists need to further explore the ethical implications of entertainment and amusement, the dominant role of almost all media content (Wilkins, 2012). In the 1934 Communications Act (and updated in the 1996 Telecommunications Act), Congress asserted that networks could freely use taxpayer-owned airwaves in exchange for one hour of information programming daily; that programming became the evening news. Prior to the 1968 debut of *60 Minutes*, network news divisions were loss-leaders; they lost money but added prestige while fulfilling the public interest standard. Most of the other 23 hours were filled with money-making entertainment programming. Yet, media ethicists studying broadcast focused on the one hour of news instead of the other 23 of entertainment. Cable news networks such as CNN, Fox News, and MSNBC blend news, punditry, and entertainment into a 24-hour news cycle. As *The Newsroom*'s

fictional cable news anchor Will McAvoy said, he's "in the exact same business as the producers of *Jersey Shore*." Most cable networks are in the entertainment business, not the news business, and some—E! News, A&E, and ESPN—explicitly state their entertainment mission.

Entertainers still have virtually no broad legal standards to hold them accountable (with the notable exceptions of offensive language, indecency, and obscenity); however, there are ethical standards that society expects them to follow (Peifer, 2012). For example, there is an academic tradition of criticizing dramatists for their unfavorable portrayals of groups such as journalists, physicians, public officials, and ethnicities because such portrayals might negatively influence viewers' perceptions of those groups. Entertainment programming needs a positive code of ethical conduct because it helps inform citizens by raising questions, offering incisive observations, and voicing marginalized perspectives. Indeed, entertainers "can benefit by an articulation of aspirations, duties, and responsibilities" (Peifer, 2012, p. 270).

Some media scholars have begun sketching out what such a code might look like. First, communication, whether labeled news or entertainment, ought to

> shape opportunities for understanding, deliberating about, and acting on the relationships among: (1) the conditions of one's day-to-day life; (2) the day-to day life of fellow members of the community; and (3) the norms and structures of power that shape these relationships.
>
> (Williams & Delli Carpini, 2008, p. 183)

Second, entertainment portrayals ought to serve an overriding public interest if there are foreseeable and substantial negative consequences to those portrayals (Cenite, 2009). Of course, adherence to these principles is voluntary. There are First Amendment protections that prohibit government bodies from dictating or censoring most entertainment content. However, news programming also has First Amendment protections yet media ethicists often argue that journalists should hold themselves to standards of social responsibility, that, to quote Uncle Ben Parker from the *Spider-Man* comic books, "With great power comes great responsibility." The same is true for entertainment programmers; they must hold themselves to a higher standard to fulfill their discursive role within the broader republic.

AMUSED BUT NOT DEAD

Neil Postman, in his 1985 book *Amusing Ourselves to Death*, argued that Americans are the best-entertained but least well-informed people in the Western world. His thesis centered on the idea that public discourse has been subsumed by and transformed into entertainment; that important matters such as politics, religion, news, athletics, education, and commerce no longer are distinct entities but merely adjuncts of show business. His argument is not that television is entertaining (although he clearly does not see much, if any, entertainment value in the medium), but that television has made entertainment itself the natural format for the representation of all experience. Further, he argued that this subsumption and transformation largely occurred without notice, let alone protest.

Postman also argued that every program is a discrete event that is separated in content, context, and emotional texture from what precedes it and follows it. For example, the May 20, 2019, lineup for the Dayton CBS market aired as follows: *The Ellen DeGeneres Show*, 4–5 p.m.; local news, 5–6:30 p.m.; *CBS Evening News*, 6:30–7 p.m.; *Wheel of Fortune*, 7–7:30 p.m.; *Entertainment Tonight*, 7:30–8 p.m.; *Big Bang Theory*, 8–9 p.m. Clearly, there is very little overlap between *The Ellen DeGeneres Show* and *The Big Bang Theory*. Each television program is a

package in itself; viewers did not need to apply any knowledge gained from one program to any other program, nor do they necessarily have to know what happened on the previous day's show to understand what is happening today. Further, surrounding the two-hour news programming slot with a talk show, a game show, an entertainment show, and a sitcom signals to viewers that all of the above simply is entertainment, that nothing, including potentially important news, should be taken that seriously. That is Postman's argument.

The argument here is that Postman, at least to an extent, is wrong. He overstated the negative aspects of entertainment while neglecting the positive cultural and political contributions society receives from such programming.

First, Postman misstates *why* entertainment has transformed society: Culture, and entertainment is one component of culture, is a part of each person's life and experience (Williams, 2000). Politics, religion, news, athletics, education, and commerce are cultural, and each at least partially serves an entertaining mission. Reducing politics, for example, to mere entertainment would be disastrous. However, mixing some entertainment—William Howard Taft throwing out the first pitch at a Washington Senators game in 1920; then-candidate Bill Clinton playing saxophone on *The Arsenio Hall* show in 1992—with politics both humanizes political figures and signals to citizens that no one always has to be serious. Through culture and entertainment, people also can gain a sense of togetherness and create a vision of a shared community. These are good things.

Second, entertainment programming could serve as a gateway to more serious political discussion and engagement. Politically entertaining programming such as *The Daily Show* or *Saturday Night Live* could serve as a learning tool by providing basic knowledge and familiarity with news topics (Baum, 2003; Cao, 2010; Feldman et al., 2011; Feldman & Young, 2008). Basically, these programs could help expand the number of people who are politically engaged, bringing more people into the political discussion. Any attempt to engage citizens should be seen in a positive light. Further, scholars argue that few people rely exclusively on one media source; indeed, most have a varied news diet (Baumgartner & Morris, 2011; Feldman & Young, 2008) that might include entertainment programming as well as more traditional broadcast and print news sources.

Less news-y popular culture fare also could serve as a learning or political tool. The examples given in this chapter focused on journalists, and these depictions are important. At their worst, these portrayals are distorted for entertainment or entirely inaccurate. However, the best of these programs at least give viewers a glimpse into a working newsroom, a place that most people otherwise would never see. Viewers could gain a better appreciation for the hard work, dedication, and importance of journalists in movies such as *Spotlight*. These insights could help offset perceptions of bias or calls that the media routinely engage in "fake news." Purely entertainment programs also, at times, indirectly drive important political conversations. Such was the case following *Blood Diamond*, which helped bring the concept of "conflict" diamonds into the political arena.

Postman argued that "the junk" is the best thing on television; that Americans would benefit if programming got worse instead of better. Here, Postman simply is wrong. Better programming, or more socially responsible programming, would aid in the political discussion and education of Americans. In social responsibility theory, an organization is obligated to act in a way that benefits society, either directly by advancing social goals or indirectly by avoiding socially harmful acts (Cenite, 2009). The creators of any television series ought to have an ethical obligation to their audience to be socially responsible. Viewers would be hard pressed to find anything socially responsible or morally uplifting in shows such as *The Beverly Hillbillies*, *Married with Children*, and *Two and a Half Men*. While other shows certainly fulfill this necessary obligation, there needs to be a framework for ethicists to distinguish between morally upright and morally deficient programming. Media ethicists have begun to have such a conversation; however, that vital dialogue needs to continue because it is far from complete.

REFERENCES

Barthel, M., & Mitchell, A. (2017). Americans' attitudes about the news media deeply divided along partisan lines. Retrieved from www.journalism.org/2017/05/10/americans-attitudes-about-the-news-media-deeply-divided-along-partisan-lines/.

Baum, M. A. (2003). *Soft news goes to war*. Princeton, NJ: Princeton University Press.

Baumgartner, J. C., & Morris, J. S. (2011). Stoned slackers or super citizens? *The Daily Show* viewing and political engagement of young adults. In A. Amarasignam (Ed.), *The Stewart/Colbert effect: Essays on the real impacts of fake news* (pp. 63–78). Jefferson, NC: McFarland & Company.

Baym, G. (2005). The daily show: Discursive integration and the reinvention of political journalism. *Political Communication*, *22*(3), 259–276.

Beam, R. A., & DeCicco, D. T. (2010). When women run the newsroom: Management change, gender, and the news. *Journalism & Mass Communication Quarterly*, *87*(2), 393–411.

Berkowitz, D., & Gutsche, R. E., Jr. (2012). Drawing lines in the journalistic sand: Jon Stewart, Edward R. Murrow, and memory of news gone by. *Journalism & Mass Communication Quarterly*, *89*(4), 643–656.

Berlin, I. (2002). *Liberty: Incorporating four essays on liberty*. Oxford: Oxford University Press.

Campbell, J. W. (2016). *Getting it wrong: Debunking the greatest myths in American journalism*. Berkeley, CA: University of California Press.

Cao, X. (2010). Hearing it from Jon Stewart: The impact of *The Daily Show* on public attentiveness to politics. *International Journal of Public Opinion Research*, *22*(1), 26–46.

Caufield, R. P. (2008). The influence of "infoenterpropagainment": Exploring the power of political satire as a distinct form of political humor. In J. C. Baumgartner & J. S. Morris (Eds.), *Laughing matters: Humor and American politics in the media age* (pp. 3–20). New York: Routledge.

Cenite, M. (2009). Ethical learnings from *Borat* on informed consent for make benefit film and television producers. *Journal of Mass Media Ethics*, *24*(1), 22–39.

Christians, C. G., Ferré, J. P., & Fackler, P. M. (1993). *Good news: Social ethics and the press*. New York: Oxford University Press.

Christians, C. G., Glasser, T. L., McQuail, D., Nordenstreng, K., & White, R. A. (2009). *Normative theories of the media: Journalism in democratic societies*. Urbana, IL: University of Illinois Press.

Christians, C. G., Rotzell, K. B., Fackler, M., McKee, K. B., & Woods, R. H., Jr. (2005). *Media ethics: Cases and moral reasoning*. Boston, MA: Pearson.

Colletta, L. (2009). Political satire and postmodern irony in the age of Stephen Colbert and Jon Stewart. *The Journal of Popular Culture*, *42*(5), 856–874.

The Commission on Freedom of the Press. (1947). *A free and responsible press*. Chicago, IL: University of Chicago Press.

Dow, B. (1990). Hegemony, feminist criticism, and *the Mary Tyler Moore Show*. *Critical Studies in Mass Communication*, *7*(3), 261–274.

Dow, B. (1992). Femininity and feminism in *Murphy Brown*. *Southern Communication Journal*, *57*(2), 143–155.

Ehrlich, M. C. (1997). Journalism in the movies. *Critical Studies in Mass Communication*, *14*(3), 267.

Ehrlich, M. C., & Saltzman, J. (2015). *Heroes and scoundrels: The image of the journalist in popular culture*. Champaign, IL: University of Illinois Press.

Feinberg, L. (1967). *Introduction to satire*. Ames, IA: The Iowa State University Press.

Feldman, L., Leiserowitz, A., & Maibach, E. (2011). The science of satire: *The Daily Show* and *The Colbert Report* as sources of public attention to science and the environment. In A. Amarasignam (Ed.), *The Stewart/Colbert effect: Essays on the real impacts of fake news* (pp. 25–46). Jefferson, NC: McFarland & Company.

Feldman, L., & Young, D. G. (2008). Late night comedy as a gateway to traditional news: An analysis of time trends in news attention among late-night comedy viewers during the 2004 presidential primaries. *Political Communication*, *25*(4), 401–422.

Ferrucci, P., & Painter, C. (2016). Market matters: How market-driven is *The Newsroom*?. *Critical Studies in Television*, *11*(1), 41–58.

Ferrucci, P., & Painter, C. (2017). Print vs. digital: How medium matters on *House of Cards*. *Journal of Communication Inquiry*, *41*(2), 124–139.

Fox, J. R. (2011). Wise fools: Jon Stewart and Stephen Colbert as modern-day jesters in the American Court. In A. Amarasignam (Ed.), *The Stewart/Colbert effect: Essays on the real impacts of fake news* (pp. 136–148). Jefferson, NC: McFarland & Company.

Gerhard, J. (2005). *Sex and the City*: Carrie Bradshaw's queer postfeminism. *Feminist Media Studies*, *5*(1), 37–49.

Griffin, D. (1994). *Satire: A critical reintroduction*. Lexington, KY: University Press of Kentucky.

Hanson, C. (2008). Some last words on *The Wire*. *Film Quarterly*, *62*(2), 66.

Hariman, R. (2007). In defense of Jon Stewart. *Critical Studies in Media Communication*, *24*(3), 273–277.

Highet, G. (1962). *The anatomy of satire*. Princeton, NJ: Princeton University Press.

Hill, M. R. (2013). Developing a normative approach to political satire: A critical perspective. *International Journal of Communication*, *7*, 324–337.

Hoffman, L. H., & Thomson, T. L. (2009). The effect of television viewing on adolescents' civic participation: Political efficacy as a mediating mechanism. *Journal of Broadcasting & Electronic Media*, *53*(1), 3–21.

Holbert, R. L., Tchernev, J. M., Walther, W. O., Esralew, S. E., & Benski, K. (2013). Young voter perceptions of political satire as persuasion: A focus on perceived influence, persuasive intent, and message strength. *Journal of Broadcasting & Electronic Media*, *57*(2), 170–186.

Japp, P. M., Meister, M., & Japp, D. K. (2005). *Communication ethics, media, & popular culture*. New York: Peter Lang.

Jones, J. P. (2005). *Entertaining politics: New political television and civic culture*. Lanham, MD: Rowman & Littlefield.

Jones, J. P., & Baym, G. (2010). A dialogue on satire news and the crisis of truth in postmodern political television. *Journal of Communication Inquiry*, *34*(3), 278–294.

Knight, C. A. (2004). *The literature of satire*. Cambridge: Cambridge University Press.

Lee, H. (2012). Communication mediation model of late-night comedy: The mediating role of structural features of interpersonal talk between comedy viewing and political participation. *Mass Communication and Society*, *15*(5), 647–671.

McBeth, M. K., & Clemons, R. S. (2011). Is fake news the real news? The significance of Stewart and Colbert for democratic discourse, politics, and policy. In A. Amarasingam (Ed.), *The Stewart/Colbert effect: Essays on the real impacts of fake news* (pp. 79–98). Jefferson, NC: McFarland & Company.

Meyer, J. C. (2000). Humor as a double-edged sword: Four functions of humor in communication. *Communication Theory*, *10*(3), 310–331.

Moy, P., Xenos, M., & Hess, V. K. (2005). Communication and citizenship: Mapping the political effects of infotainment. *Mass Communication and Society*, *8*(2), 111–131.

Nerone, J. C. (1995). *Last rights: Revisiting four theories of the press*. Urbana, IL: University of Illinois Press.

Nitz, M., Koehn, A., & McCarron, H. (2017). Too early to be funny? An analysis of late night comedy during the 2016 U.S. presidential primaries. In R. E. Denton, Jr. (Ed.), *Political campaign communication: Theory, method, and practice* (pp. 103–122). Lanham, MD: Lexington Books.

Painter, C. (2017). All in the game: Communitarianism and the wire. *Journalism Studies*, *18*(1), 11–27.

Painter, C., & Ferrucci, P. (2012). Unprofessional, ineffective, and weak: A textual analysis of the portrayal of female journalists on. *Sports Night. Journal of Mass Media Ethics*, *27*(4), 248–262.

Painter, C., & Ferrucci, P. (2015). "His Women Problem": An analysis of gender on the newsroom. *The Image of the Journalist in Popular Culture*, *6*, 1–30.

Painter, C., & Ferrucci, P. (2017). Gender games: The portrayal of female journalists on *House of Cards. Journalism Practice*, *11*(4), 493–508.

Painter, C., & Hodges, L. (2010). Mocking the news: How *The Daily Show with Jon Stewart* holds traditional broadcast news accountable. *Journal of Mass Media Ethics*, *25*(4), 257–274.

Peifer, J. T. (2012). Can we be funny? The social responsibility of political humor. *Journal of Mass Media Ethics*, *27*(4), 263–276.

Postman, N. (1985). *Amusing ourselves to death: Public discourse in the age of show business*. New York: Penguin Books.

Ragovin, A. (2010). N Is for news: The image of the journalist on Sesame Street. *The Image of the Journalist in Popular Culture*, *2*, 34–85.

Richards, H. (2003). *Sex and the City*: A visible flaneuse for the postmodern era? *Continuum: Journal of Media and Cultural Studies*, *17*(2), 147–157.

Ringelberg, K. (2005). His girl Friday (and every day): Brilliant women put to poor use. In T. R. Fahy (Ed.), *Considering Aaron Sorkin: Essays on the politics, poetics, and sleight of hand in the films and television series* (pp. 91–100). Jefferson, NC: McFarland & Co.

Ryan, J., & Revah, S. (1996). Lou Grant made me do it. *American Journalism Review*, *18*(9), 13.

Sabin, R. (2011). *The Wire*: Dramatising the crisis in journalism. *Journalism Studies*, *12*(2), 139–155.

Sander, C. (1971). *The scope of satire*. Glenview, IL: Scott, Foresman.

Schudson, M. (1992). *Watergate in American memory: How we remember, forget, and reconstruct the past*. New York: Basic Books.

Schutz, C. E. (1977). *Political humor: From Aristophanes to Sam Ervin*. Rutherford, NJ: Fairleigh Dickinson University Press.

Siebert, F. S., Peterson, T., & Schramm, W. (1963). *Four theories of the press: The authoritarian, libertarian, social responsibility, and Soviet communist concepts of what the press should be and do*. Urbana, IL: University of Illinois Press.

Steiner, L. (2008). Critiquing journalism: Feminist perspectives relevant to contemporary challenges. In P. Poindexter, S. Meraz, & A. Schmitz Weiss (Eds.), *Women, men, and news: Divided and disconnected in the news media landscape* (pp. 281–287). New York: Routledge.

Steiner, L. (2013). *The Wire* and repair of the journalistic paradigm. *Journalism*, *14*(6), 703–720.

Stone, G., & Lee, J. (1990). Portrayal of journalists on prime time television. *Journalism Quarterly*, *67*(4), 697–707.

Tally, R. T., Jr. (2011). I am the mainstream media (and so can you!). In A. Amarasignam (Ed.), *The Stewart/Colbert effect: Essays on the real impacts of fake news* (pp. 149–163). Jefferson, NC: McFarland & Company.

Tenenboim-Weinblatt, K. (2009). Jester, fake journalist, or the new Walter Lippmann? Recognition processes by Jon Stewart by the U.S. journalistic community. *International Journal of Communication*, *3*, 416–439.

Valdivia, A. N. (2008). What can we get away with? The ethics of art and entertainment in the neoliberal world. In L. Wilkins & C. Christians (Eds.), *Handbook of mass media ethics* (pp. 189–200). New York: Routledge.

Wilkins, L. (2012). Foreward. *Journal of Mass Media Ethics*, *27*(4), 219.

Williams, B. A., & Delli Carpini, M. X. (2008). The eroding boundaries between news and entertainment and what they mean for democratic politics. In L. Wilkins & C. Christians (Eds.), *Handbook of mass media ethics* (pp. 177–188). New York: Routledge.

Williams, R. (2000). Culture is ordinary. In B. A. U. Levinson (Ed.), *Schooling the symbolic animal: Social and cultural dimensions of education* (pp. 31–35). Lanham, MD: Rowman & Littlefield.

Wisniewski, K. A. (2011). It's all about meme: The art of the interview and the insatiable ego of the Colbert bump. In A. Amarasignam (Ed.), *The Stewart/Colbert effect: Essays on the real impacts of fake news* (pp. 164–180). Jefferson, NC: McFarland & Company.

Xenos, M., & Becker, A. B. (2009). Moments of Zen: Effects of *The Daily Show* on information seeking and political learning. *Political Communication*, *26*(3), 317–332.

Young, D. G. (2008). The privileged role of the late-night joke: Exploring humor's role in disrupting argument scrutiny. *Media Psychology*, *11*(1), 119–142.

Young, D. G., & Tisinger, R. M. (2006). Dispelling late-nights myths: News consumption among late-night comedy viewers and the predictors of exposure to various late-night shows. *Harvard International Journal of Press/Politics*, *11*(3), 113–134.

III
CONCRETE ISSUES

20

Justice as a Journalistic Value and Goal

David A. Craig

When reporters uncover corruption in a city police department, they are upholding justice as a value of journalism. When editors plan a series aimed at inequities in availability of housing by race, they are making justice one of their goals. Whenever journalists do stories that point out unfairness in how people are treated, justice lies in the background even if it is not explicitly on the minds of reporters and editors.

A commitment to justice has a long tradition in journalism. Investigative reporting from the work of the muckrakers in the early twentieth century to contemporary investigations of individual and social problems (Protess et al., 1991; Serrin & Serrin, 2002; Tichi, 2004) has often addressed topics with justice implications. But justice is served by reporting across a variety of beats—for example, through political stories that explain candidate positions on important social issues and medical stories that help people navigate the complexities of the healthcare system.

While journalists have been pursuing stories that involve dimensions of justice, media scholars have been reflecting in recent decades on what justice means, many of them drawing on historical or current lines of thinking from philosophy, political theory, and psychology. This thinking is important to journalism students and practitioners because it offers ways to more carefully and systematically apply concepts of justice to journalism, as well as to critically evaluate how journalists think about justice and have actually applied it. Despite the attention to justice by thoughtful and caring journalists, it would be easy for this concern to be squeezed out of stories under the pressure of competition and profit.

This chapter will provide an overview of what media scholars have said about justice. It will then focus on an important aspect of the topic that has received relatively little attention: how justice as an ethical value can be used to critique and improve coverage of topics in which justice is an important dimension of the story itself. The chapter will close with suggestions for additional research on justice as a value and goal of journalism.

LITERATURE AND CONCEPTS

When media scholars examine justice, they are stepping into an area that has been a long-time concern of philosophers and political theorists, as well as a matter addressed by psychologists who think about how people develop in their moral reasoning. Before discussing the variety of

thinking about justice in media scholarship, it is appropriate to offer a definition that crosses several scholarly traditions about what justice means. Beauchamp and Childress (2013), writing in the context of medical ethics, state that a variety of philosophical perspectives "interpret justice as fair, equitable, and appropriate treatment in light of what is due or owed to persons" (p. 250). Although it comes from outside the field of journalism, this definition effectively summarizes important concerns implicit in journalists' consideration of justice as a value to guide coverage and a goal of coverage. Beyond this broad definition, though, a variety of differences in emphasis and substance are evident in the notions of justice that scholars have applied to journalism. This section will examine several strands of thinking in media scholarship that relate to justice: work based on utilitarianism, the egalitarianism of John Rawls (1971), communitarianism, and moral development theory (including discussion of feminist, care-based critiques of justice), and finally other work rooted in a variety of perspectives.

UTILITARIAN-BASED PERSPECTIVES

Utilitarianism, particularly the version developed by John Stuart Mill in the nineteenth century, has been a prominent perspective in media ethics textbooks. This perspective's focus on the weighing of goods and harms to maximize benefit has brought attention to the importance of considering consequences in journalistic decisions. Several books (Bivins, 2018; Christians et al., 2017; Day, 2006; Patterson, Wilkins, & Painter, 2019; Plaisance, 2014; Smith, 2008) include summaries of utilitarianism of varying lengths with application to journalism. Most of these discussions do not explicitly relate utilitarianism to justice, but Plaisance points out that Mill argued his theory of utility "would be effective in bringing about justice" (p. 13)—though Plaisance also notes that utilitarianism leaves the door open to the threat of unjust practices in service of the majority (p. 35).

Mill did make a strong connection between justice and utility. In his view, people's rights ought to be defended because of the benefit of protecting their security—an "extraordinarily important and impressive kind of utility" (2003, p. 226). For Mill, justice based on utility is "the chief part, and incomparably the most sacred and binding part, of all morality" (p. 231). Bivins's (2018) discussion of utilitarianism does acknowledge the linkage that Mill made between justice and utility, noting (pp. 77–78) that Mill pointed to the importance of several dimensions of justice including giving to those who are deserving and not showing partiality. Elliott, in an article titled "Getting Mill Right" (2007), said his five principles of justice are to be applied before any weighing of benefits and harms.

PERSPECTIVES RELATED TO RAWLS

Just as Mill's theory was one of the most influential to grow out of the nineteenth century, John Rawls's theory of justice—developed in the book by that name (1971)—was one of the most prominent perspectives on justice from the twentieth. Rawls regards justice fundamentally as a notion of fairness to members of society that grows out of a hypothetical "original position" in which

> no one knows his place in society, his class position or social status, nor does anyone know his fortune in the distribution of natural assets and abilities, his intelligence, strength, and the like … The principles of justice are chosen behind a veil of ignorance.
>
> (p. 12)

Working from this vantage point, it is expected that people will be sensitive to those who are least advantaged, allowing inequalities only if they benefit those people (pp. 14–15). Beauchamp and Childress (2013) called Rawls's theory egalitarian, though in a qualified way in that it permits some inequalities (pp. 256–257).

As with utilitarianism, several books on media ethics (Christians et al., 2017; Day, 2006; Patterson, Wilkins, & Painter, 2019; Plaisance, 2014; Smith, 2008) discuss and apply Rawls's perspective at least briefly. For example, Patterson, Wilkins and Painter (2019, p. 147) suggest that the veil of ignorance can be helpful when considering whether journalists should photograph or talk with survivors of an airline crash at the scene. Behind the veil of ignorance, the stakeholders—such as a reporter, a survivor, a family member, and a reader—would not know which position they would occupy when they emerged and would therefore be sensitive to considerations of need to know and right to privacy from a variety of perspectives.

Lambeth (1992) also drew on Rawls's perspective in presenting justice as part of a framework of five principles for ethical decision-making in journalism—a framework that is of central importance in media ethics scholarship because of its systematic incorporation of both justice and other important considerations such as truth-telling and freedom. Lambeth argued that Rawls provided a strong theoretical grounding for the watchdog role of the news media. A journalist acting in the interest of justice should ask critical questions in covering the major institutions of society—questions such as: "Are agreed-upon rules and procedures followed consistently and uniformly? Are some groups or classes of persons enjoying more than their fair share of goods or bearing more than their fair share of the burdens?" (p. 29).

COMMUNITARIAN PERSPECTIVES

A third perspective on justice, communitarianism, developed in the late twentieth century. Some thinkers who have been called communitarians, such as Robert Bellah and his colleagues (Bellah et al., 1985, 1991), have reacted to what they see as a negative impact of overemphasis on individualism, particularly in American society. Others, such as Michael Sandel (1982), have argued that the very view of the person that underlies liberal political theory's emphasis on the individual is wrong (Craig, 1996; Mulhall & Swift, 1992). Sandel argues that Rawls viewed the self incorrectly as independent of particular aims or attachments to others and to a community. This conception of self would make people unable to make more than arbitrary choices about the principles of justice (Kukathas & Pettit, 1990). Communitarianism undergirds a strong notion of justice by making people's connection to one another central to their lives.

Christians, Ferré, and Fackler (1993) carried communitarian thought into the realm of theory about the proper role of the news media in society. They argued that justice must be a central goal of journalism:

> A press nurtured by communitarian ethics requires more of itself than fair treatment of events deemed worthy of coverage. Under the notion that justice itself—and not merely haphazard public enlightenment—is a *telos* of the press, the news-media system stands under obligation to tell the stories that justice requires
>
> (p. 93).

In this application, just journalism means speaking up for people who are "abused or ignored by established power" (p. 92). More specifically, Christians and his colleagues ask: "Is the press a

voice for the unemployed, food-stamp recipients, Appalachian miners, the urban poor, Hispanics in rural shacks, the elderly, women discriminated against in hiring and promotion, ethnic minorities with no future in North America's downsizing economy?" (p. 92). This perspective provides a robust justification for why journalists should make the needs of marginalized people a priority. (For further application of communitarian ethics to journalism, see Christians, Fackler, & Ferré, 2012, pp. 1–92.)

WORKS DISCUSSING MORAL DEVELOPMENT THEORY

Several media scholars have examined work in moral development theory, which addresses how people develop in their thinking about ethical matters. In particular, scholars have drawn on Kohlberg's (1981) work, which places priority on justice as a universal ethical principle. Some of them have contrasted it with the work of feminist scholar Carol Gilligan (1982), who emphasizes care and the interaction of people in relationships.

- Barger (2003) used Kohlberg's moral development theory to evaluate moral language in newspaper columns and letters to the editor. She found that most arguments did not rise to Kohlberg's postconventional level, in which fairness and justice become central considerations.
- Wilkins and Coleman (2005) used the Defining Issues Test, which was influenced by Kohlberg's framework, to evaluate how journalists think through ethical decisions. In relation to other professions previously studied, journalists rated relatively high in moral reasoning level via scores on the test. Plaisance's (2015) study that included 12 moral exemplars in journalism (along with 12 in public relations) found their scores were higher than the averages for the journalists previously studied. He pointed out that this meant they showed a consistent ability to draw on postconventional reasoning. Wilkins and Coleman (2005), though, reported a disturbing finding from a study of students using a test of moral judgment: White journalism majors were significantly more likely to use lower levels of ethical reasoning when evaluating photos that showed Black rather than White people. Spurred by this finding, the authors called for a renewed emphasis on social justice in the teaching of journalism ethics. Black journalism majors (Coleman, 2011a) showed no significant differences in levels of reasoning regardless of the race of the subjects, and the same was true for Black, Asian-American, and Hispanic professional journalists (Coleman, 2011b).
- Lind (1996) evaluated the presence of justice and care orientations in viewers' evaluation of ethically controversial television news stories. She found that considerations of justice, emphasizing issues such as objectivity, were considerably more prevalent than considerations of care, emphasizing matters such as benefits and harms—but that both were commonly used. The orientation varied depending on story topic.
- Steiner and Okrusch (2006) criticized a justice-based model for journalism built on rights—what they see as the prevailing ethical foundation for journalism in the United States—as too "thin" (p. 103) and explored the contribution of care to the strengthening of journalism ethics, urging journalists to "care toward justice" (p. 116). They suggested that public journalism has already melded the two and argued that "incorporation of some revised ethic of care would help revitalize a stronger and more philosophically and politically defensible concept of justice and (human) rights" (p. 119).

OTHER PERSPECTIVES ON JUSTICE

The ethical issue of justice has also been stated or implied in other work on journalism. Several scholars (Christians, 2007; Meyers, 2003, 2011; Patterson, Wilkins, & Painter, 2019; Plaisance, 2014) have discussed W.D. Ross's (2002) prima facie duties, which include justice, as a framework for journalistic decision-making. Ward (2010, 2011) has argued for a global journalism ethic in which the priority is promoting the individual, social, political, and ethical goods of people across societies—making justice a central consideration. Brislin (1992) applied just war theory developed historically in Christian theology to create a model of just journalism in which issues including intention, degree of harm, and alternatives are considered in evaluating the ethics of actions that, like war, would be extreme—in a journalistic context, actions such as deception or invasion of privacy. Pippert (1989), in a book focused on truth as an ethical value, argued that reporters who seek truth will also uncover issues of justice. He said this aspect of stories will emerge in coverage of a variety of topics from civil rights to sports and business if reporters look for it. Ettema and Glasser (1998), while not explicitly focusing on justice as an ethical value, argued strongly that investigative reporters are making moral judgments throughout their work as they cover stories of wrongdoing in society.

JUSTICE AS A VALUE FOR CRITIQUING NEWS COVERAGE

As the previous discussion of concepts and literature makes clear, scholars have thought about justice and applied this principle to journalism from a variety of perspectives. Some of this work has raised questions to guide coverage or suggested topics for attention. This section will explore another framework (Craig, 1997, 1999) that uses justice and related considerations as a tool to critique and improve news coverage—particularly coverage in which justice is an important dimension of the story itself. This framework and the questions it implies will be presented, followed by discussion of the relevance of these questions to coverage of medicine and science, business, and other topics.

A Framework for Evaluating Coverage

Ethical concerns including justice are important angles in coverage of topics ranging from genetic testing to the conduct of corporate executives. Across professions, from medicine to business to law, justice is a relevant consideration for journalists in evaluating the work of practitioners in these fields and the broader institutional context in which they function. The work of Lambeth (1992) paved the way for systematic evaluation of coverage of professions by urging that journalists ask justice-based questions and report in depth on what advances or hinders excellence in specific professions. Building on this Craig (1997, 1999) proposed a framework for evaluating and improving coverage of issues in professions and society. The framework regards some—but not comprehensive—coverage of the ethical dimension as an ethical obligation of journalists covering issues with important ethical implications. Because of the limitations imposed by time and space constraints and other factors, journalists cannot be expected to write thoroughly about justice and other ethical issues in all or even most stories. However, they should pay some attention to these issues in the overall coverage of a topic that raises important ethical issues or in individual stories that are intended to examine it in depth. This argument is consistent with social responsibility (Christians & Nordenstreng, 2004; Commission on Freedom of the Press, 1947;

Siebert, Peterson, & Schramm, 1956) and communitarian (Christians et al., 1993) theories about what the role of the press should be, since the assumption is that journalists should make it a priority to serve society rather than simply to present information.

Evaluation of the place of justice and other ethical issues can be done more specifically under this framework by examining four criteria for evaluating the adequacy of coverage. Although the framework goes beyond considerations of justice, each component of it can help in evaluation of how well relevant issues of justice are being portrayed in stories.

- Levels of analysis: ethical issues in areas such as medicine, business, and government play out in settings that involve not only the decisions of individuals but also the organizational/institutional, professional, and social contexts in which they function. Good coverage should pay attention to more than one level of analysis. In relation to justice specifically, consideration of multiple levels is important because organizations provide important constraints on the ability of individuals to act justly or receive justice. At their best, they may help to foster justice on behalf of individuals. Professional expectations and norms similarly may, on the positive side, encourage just decision-making and treatment of people, or they may leave room for unjust practices. The broader social environment may encourage or discourage just behavior, depending, for example, on whether fair treatment of minorities is becoming more or less of an expectation in the broader society.
- Relevant parties: numerous parties such as doctors and executives, institutions such as hospitals and corporations, and professional bodies may play a part in decisions that have implications for justice. In a story involving both professions and the public, it is important to include nonprofessionals such as patients as well as professionals such as doctors as sources. Good coverage should pay attention to several relevant parties and not just professionals if others are important parts of the story. Consideration of relevant parties is important in examining justice not only because a wide array of people and groups may foster or hinder justice, but also because parties that may have more power—such as physicians or insurance companies—can easily act unjustly at the expense of more vulnerable parties such as patients.
- Legal and regulatory issues: these are often important considerations in stories because they put constraints on the decisions of the relevant parties, and because they may themselves foster or limit exercise of justice. Stories should devote some attention to relevant legal and regulatory concerns. Legal and regulatory limitations may be relevant in a wide range of topics such as conduct of corporate executives and corporations, the work of scientists and doctors, and the development and exercise of policies by government agencies.
- Ethical issues, questions, and themes: coverage of topics with important ethical implications should, most centrally, provide some attention to the ethical dimension itself. This means that the story should address issues that are important in ethical theories—such as duties (including justice and, from theological ethics, sensitivity to human needs) and consequences (both benefits and harms). Where relevant, issues from other perspectives such as the feminist ethic of care (Gilligan, 1982) could be addressed. Reporters should also deal with ethical questions and themes—for example, when human life begins—that may emerge in reporting but not fit neatly into one theoretical perspective.

In relation to justice, consideration of the emphases that come from different theories can point to questions that will help journalists shed light on the ways that different aspects of justice are relevant in a story. For example, Mill (2003) linked the value of rights to utility and specifically to the protection of people's security. Therefore, utilitarianism would suggest

that journalists ask whether and how the security of individuals or groups is being protected or compromised, by, for example, a decision about the use of pension funds by a corporation. Mill also pointed to the importance of avoiding partiality, which suggests that journalists should ask whether parties in a story are acting in a way to treat some people better at the expense of others. Rawls (1971) related justice to a veil of ignorance behind which people would consider the least advantaged and not allow inequalities that harm them. In this light, journalists could ask whether policies under debate at the federal or state levels of government would avoid inequalities that hurt these parties, a consideration relevant, for example, in choosing how to distribute funding for public schools across a state. Communitarian perspectives on justice also place special priority on the needs of the marginalized (Christians et al., 1993). Informed by communitarianism, journalists might place even more priority on considering how government policies or corporate decisions provide or fail to provide for the needs of people who have little voice or power.

Application to Medical and Science Coverage

Consideration of justice and related issues out of this framework can help sharpen the questions used to plan or critique coverage of topics in medicine and science. Many subjects in these areas touch on issues of life and death, or the quality of life, so the justice issues they raise have profound implications for individuals and society. Therefore, these are particularly important issues for journalists to "get right" for readers and viewers.

The application of this framework will become clearer by reference to coverage of two topics with profound implications for justice: genetic testing and physician-assisted suicide.

Advances in genetic research in recent years have included the discovery of genes connected with diseases such as breast cancer and Alzheimer's. Some of these discoveries have led to the development of tests for whether people have the genes. The ethical challenges created by development of these tests are significant (Craig, 1997, 2000b). It is usually uncertain whether people who test positive will actually develop the disease, and they may find that no treatment is available and may face difficulty getting insurance or encounter discrimination in employment. As the framework makes clear, however, consideration of the ethical challenges connected with genetic testing needs to go beyond the individual level to examine the obligations of healthcare institutions, companies developing the tests, insurance companies, and employers. Professional norms and expectations are also important to examine, as are the social expectations and stigmas attached to diseases. Sources should include a variety of parties such as doctors and patients, insurance executives, test developers, and family members of patients. It is important to explain what laws and regulations govern the development and use of genetic testing.

The other part of the framework, consideration of the ethical dimension itself, calls for careful thought about how perspectives on justice may bring to light important journalistic questions that may be going unanswered, or may bear further development in in-depth stories. For example, Mill's (2003) linkage of rights to utility and the protection of security suggests that journalists should ask whether and how policy makers are helping to guard against genetic discrimination. Rawls's (1971) veil of ignorance would suggest that all parties, including test developers and insurance companies, should consider how to protect the most vulnerable parties, patients or future patients, from harm that might come from indiscriminate disclosure of test results. Communitarianism (Christians et al., 1993) would call for similar questions in the defense of vulnerable parties and would underline the need for inclusion of the voices of those parties as sources in stories on discrimination concerns.

A story in *Time* (discussed in Craig, 1997, 2000b) provides an example of inclusion of this kind of voice:

> Consider the case of Vickie Reis, a 42-year-old farmer who lives in Northern California. Six years ago, Reis told an emergency-room doctor treating her for bronchitis that her sister had died of cystic fibrosis, an incurable lung ailment. The physician then tested the woman and found that she bore a single copy of the CF gene. But as any first-year genetics student knows, it takes two copies of the damaged gene for a person to develop this disease. Even so, Reis' medical record subsequently contained the information about her cf gene, and she was repeatedly denied health insurance. "I had never had any symptoms of the disease," she notes. "But the fact that I carried the gene was enough to leave a big shadow on my medical history."
>
> (Gorman et al., 1995, p. 61)

By including this anecdote, Christine Gorman et al. highlighted a justice-related problem by pointing out a situation in which insurance was denied, apparently without strong medical evidence.

As with genetic testing, the framework points to important justice-related concerns about physician-assisted suicide. Physician-assisted suicide and euthanasia have come to public attention in American society in recent years through events such as the U.S. Supreme Court's ruling rejecting the existence of a fundamental constitutional right to assisted suicide (*Vacco v. Quill, 1997*; *Washington v. Glucksberg, 1997*), the state of Oregon's approval of a law permitting assisted suicide, and Dr. Jack Kevorkian's assisted suicides and finally a trial stemming from his killing of a man on television. The framework would suggest that thorough coverage of assisted suicide consider the needs and views of individuals such as terminally ill patients, their families, and doctors, but also the priorities and practices of institutions such as hospitals and hospices. At the professional level, consideration of traditional and current ethical standards for medical practice is important. For this issue, society's views of death, dying, and pain are also important. Few stories will deal with all of these issues in depth, but the best coverage, in stories on this topic as a whole, should address all of these levels.

The framework further points to the need for a range of parties as sources that would include physicians, professional leaders in medical ethics, policy makers, and especially older or more medically vulnerable people—those who might be most directly affected by laws allowing assisted suicide and be most susceptible to abuse. In this topic, the need to understand and explain their legal and regulatory constraints is particularly evident. Finally, consideration of the ethical dimension itself again sheds light on relevant issues of justice. Mill's (2003) recognition of impartiality as a dimension of justice suggests that journalists should, in covering policy debates related to assisted suicide, ask how policies provide for fair distribution of end-of-life care so that people with or without insurance can receive good palliative care to manage severe pain. Rawls's (1971) theory of justice would suggest that any inequalities in care for the terminally ill should benefit the least advantaged—again pointing to important policy questions that lie in the background of consideration of the ethics of assisted suicide. A communitarian (Christians et al., 1993) view of justice would ask how a community bound together by mutual concern would want to care for individuals gravely ill at the end of life. This perspective, for example, would support stories of people who volunteer to spend time with patients in cancer wards or hospices.

Journalistic language that draws attention to justice is evident in an analytical piece by Mary Rourke that ran in the *Los Angeles Times* "Southern California Living" section (discussed

in Craig, 2000a, 2002) after Kevorkian went beyond assisted suicide and gave a man a lethal injection on a videotape shown on CBS News' "60 Minutes." In one paragraph, Rourke wrote:

> By his very public acts, Kevorkian has forced urgent health-care problems to the center of attention. Most of them have to do with how we treat the dying. Lack of adequate pain medication and lack of support for good nursing homes, spiritual care and hospices—in which the dying are allowed to end life naturally, with pain control—are key concerns.
>
> (Rourke, 1998, p. E1)

The concerns the writer raises about insufficient end-of-life care and pain control imply that an injustice is being done when this kind of care is lacking.

In coverage of both genetic testing and physician-assisted suicide, justice issues can emerge when journalists ask critical questions about ethical implications beyond merely the level of the individual, get to a broad range of sources, set the topic in legal and regulatory context, and consider issues that theories of justice would raise. This kind of analysis can inform scholarly evaluation of coverage as well as the planning of coverage in these topics and others in science and medicine.

APPLICATION TO BUSINESS COVERAGE

Business coverage, which sometimes overlaps with medical and science coverage, is another area in which considering multiple levels of analysis, breadth of sourcing, legal backdrop, and issues from ethical theory can shed light on strengths and weaknesses of stories and point to ways that justice issues can be portrayed more effectively. Individual business owners, executives, and employees make decisions themselves, but they do so as part of organizations that must provide goods or services and care for the needs of their own people. Professional expectations for ethical practice in business in turn influence the organizational culture, and the priorities of society related to money and its appropriate uses put a larger frame around the ethical choices that business people make. Stories that profile businesses or explain their decisions need to take into account these multiple levels and use a variety of sources within them—both people within the organization and customers as well as critical observers outside. In addition, laws and regulations provide at least a minimum standard for ethical conduct. Perspectives on justice from ethical theory may again, as in the case of medical coverage, raise important questions about the treatment of more vulnerable parties—such as employees and families facing layoffs or loss of pension plans, and community members living near environmentally hazardous plants or mines.

Coverage of scandals involving corporations and executives in the opening years of the twenty-first century provides an example of a topic related to business in which the framework sheds light on justice-related implications. Several companies including Enron, WorldCom, and Tyco made headlines over the conduct of their executives and the fallout it had for employees and their families.

In-depth coverage of these scandals should include a range of sources including not only executives, employees, and families but also observers such as business ethicists who are able to make informed, critical evaluations of executives' conduct and of the corporate and professional cultures. Clearly in this case, since legal action was brought against numerous executives, the legal system's effort to bring justice—at least ideally—in these cases is important to consider as well. As for considerations from theories of justice, the issues are similar to those raised in the discussion of medicine and science coverage—particularly consideration of the security and well-being of the parties most vulnerable in these situations, especially employees and families who have considerably less ability to recover financially than the highly paid executives at the top.

Particularly important for business stories, the coverage should include these individuals as sources and subjects but should also carefully scrutinize the corporate culture they lived in or were affected by—and the professional and social climates as broader context. Decisions that were made harming employees' pensions and financial futures represent unjust treatment that cannot be fully understood without this broader background.

Magazine pieces about the string of scandals in 2001 and 2002 (discussed in Craig & Turner, 2003) included cover stories and other investigative articles that were built on substantial reporting but also included strong commentary that drives home the ethical implications of corporate conduct. These pieces went beyond the individual to explore the organizational, professional, and even social levels. For example, a piece in *BusinessWeek* (Byrne, France, & Zellner, 2002) said many academics who had presented Enron as a model in the late 1990s

> are now scurrying to distill the cultural and leadership lessons from the debacle. Their conclusion so far: Enron didn't fail just because of improper accounting or alleged corruption at the top. It also failed because of its entrepreneurial culture—the very reason Enron attracted so much attention and acclaim. The unrelenting emphasis on earnings growth and individual initiative, coupled with a shocking absence of the usual corporate checks and balances, tipped the culture from one that rewarded aggressive strategy to one that increasingly relied on unethical corner-cutting.
>
> (Byrne et al., 2002, p. 118)

Enron's problems are thus presented as being issues of organizational culture—a point developed throughout the story. Although justice is not discussed directly, the focus on the culture as one dependent on unethical practices shows how the foundation was laid for unjust conduct.

A cover story in *Fortune* (Gimein et al., 2002) addresses ethics at the broader level of the profession. After pointing to the "ever-lengthening parade of corporate villains," the article criticizes the ethics of the business world:

> These people and a handful of others are the poster children for the "infectious greed" that Fed chairman Alan Greenspan described recently to Congress. But by now, with the feverish flush of the new economy recognizable as a symptom not of a passion but of an illness, it has also become clear that the mores and practices that characterize this greed suffused the business world far beyond Enron and Tyco, Adelphia and WorldCom.
>
> (Gimein et al., 2002, p. 64)

The story establishes evidence for this statement using an analysis of stock sales by executives and directors for more than 1,035 companies that were losing money. The study found that "a total haul of $23 billion went to 466 insiders at the 25 corporations where the executives cashed out the most" (Gimein et al., 2002). By setting the corporate scandals in broad professional context, through in-depth reporting, the story sets a broader backdrop for consideration of the justice of practices by many at the top of the corporate world—though again justice is not directly mentioned.

OTHER TOPICS FOR APPLICATION

Beyond coverage of medicine, science, and business, coverage of a variety of other topics could benefit from systematic evaluation with an eye to how justice is addressed. Here are four areas in which these considerations are relevant:

- Conduct of public officials (Craig, 1999). In the context of election coverage or ongoing evaluation of officials' work, journalists can consider questions such as: is there evidence

of favoritism toward better-funded or more powerful interests in the decisions and priorities of a member of Congress? In dealing with the development or implementation of social services policies, is an agency head pushing for careful consideration of the interests of those who might be hurt because they are economically vulnerable? These questions echo one raised by Lambeth (1992) in his discussion of justice building on Rawls (1971): "Are some groups or classes of persons enjoying more than their fair share of goods or bearing more than their fair share of the burdens?" (Lambeth, 1992, p. 29). This kind of reporting calls for use of a broad array of sources—including people with a variety of views inside government and others outside.

- Debates over government policy. Stories on policy topics may work either during election season when candidates are debating policy positions or at other times when Congress or state governments are considering legislation. It is particularly important to evaluate the potential impact of policy choices on individuals, affected organizations, and the residents of the state or nation as a whole. Clearly the legal and regulatory background is important to report. In order to carefully evaluate the possible harm to more vulnerable stakeholders, it is important to listen to the evaluations of lawmakers with a variety of views, as well as policy analysts and academics with expertise, and individuals who may be affected. But because of the potentially complex and far-reaching impact of policy decisions, it is important for journalists not to rely too heavily on anecdotal accounts of hurting individuals, even though a communitarian perspective on justice (Christians et al., 1993) would call for some of these voices to be included. Consideration of justice at the social level demands that sources include people with knowledge to evaluate potential long-term and less obvious consequences, thereby helping to ensure that the interests of the least advantaged that are so important in both communitarian and Rawlsian ethics are served.
- Decisions about war and the conduct of war. Covering this topic means writing about policy debates and public discussion during times when a nation is considering military action, as well as war itself and its impact. This coverage poses particular challenges with choice of sources and representation of impact from the individual to social levels, but there may be no other topic with greater justice implications.
- The practices of journalists themselves. Writers who evaluate the work of journalists can help shed light on whether reporters are actually doing a good job covering topics with justice-related implications. These critical analysts may be media writers for large news organizations, public editors or ombudsmen who write independent evaluations of an organization's work, other commentators for print and broadcast media, or bloggers who evaluate the work of journalists online. These writers can provide a form of accountability for journalists through critical evaluation of the depth and breadth of coverage of a topic, particularly the ways in which justice issues were discussed.

For all these topics, systematic evaluation of sources, levels, legal backdrop, and facets of justice can lead to both better coverage and more thorough scholarly assessment.

AREAS FOR FURTHER RESEARCH

In order to advance both scholarly understanding and professional practice, it is important for researchers to do additional critical evaluation of how justice and related issues are addressed in news coverage, to strengthen the conceptual foundation for application of justice to journalistic practice, to explore journalists' own views of justice as a value and goal, and to extend the analysis beyond journalism to persuasion and entertainment.

As the discussion above shows, some explicit scholarly attention has been given to how justice as a value has been stated or implied in coverage, as well as to the context of sourcing, levels at which justice issues played out, and legal considerations that may promote justice or limit it. However, much of this attention has been focused on coverage of medicine and science (e.g., Craig, 2000b, 2002) or business (Craig & Turner, 2003). As already suggested, important justice-related questions can be raised about the work of government officials, the development of public policy, and the work of journalists themselves. Beyond these, a variety of other topics have justice implications—for example, the decisions and practices of religious institutions and the priorities of professional and college sports. The door is wide open for in-depth qualitative evaluations of coverage or broad-scale quantitative analyses. In particular, given Wilkins and Coleman's (2005) findings about a lowering of moral reasoning level related to race among White journalism students, it is important to evaluate how racial issues are being covered across a variety of beats.

In addition to extending the analyses to a wide array of topics, researchers should consider how justice issues are or should be addressed across a range of journalistic genres. An obvious area of focus would be investigative reporting because of the powerful moral implications of journalistic examinations of wrongdoing (Ettema & Glasser, 1998). Researchers could examine how investigative reporters have thought through and written about dimensions of justice in coverage of, for example, police corruption. Narrative journalism is another journalistic form in which compelling writing can draw attention to social needs or simply to the plight of individuals (Craig, 2006). Journalists who do in-depth narrative features sometimes use the storytelling devices of the novelist to drive home to readers or viewers the ways that injustices affect people in their daily lives. Through content analyses (qualitative or quantitative) and interviews with writers, researchers could shed light on how and why justice issues were portrayed.

In addition, the development of online journalism raises distinctive questions in which justice could be an important consideration. Multimedia projects making the most of powerful video, audio, and still photography have the potential to highlight stories of injustice in compelling ways. Content analyses could explore whether projects addressing social concerns such as homelessness are making the most of the narrative power of multiple media forms. Blogs, another important component of online journalism, also have interesting justice implications. By inviting comments from the audience, bloggers can foster debate over the practices of government, medical, and business institutions and the conduct of individuals. Those bloggers who include their own opinions in their postings may also help to spur discussion. Content analyses of blogs could evaluate the quality and nature of the analysis and discussion that they bring to the public. More generally, the interactivity and feedback capability of the Internet open the potential for interaction of a wide array of voices, whether through blogs, social media, discussion forums, or audio or video segments. But the extent to which this potential is being realized should be closely evaluated through research on the content of this communication—as well as network analyses on the patterns of interaction.

Another important area for further research is additional systematic thinking about the conceptual foundations for justice in ethical theory and what different perspectives distinctively contribute to evaluation of justice in coverage—as well as the nature of justice as a goal of journalism. As the review of concepts and literature in this chapter shows, media scholars have brought a variety of perspectives on justice to the table for application or critique, including perspectives based on utilitarianism, Rawls's egalitarianism, communitarianism, and moral development theory. However, greater conceptual clarity and more precise application are still needed. For example:

- If both Rawls's (1971) and Christians et al.'s (1993) notions of justice place priority on the needs of the disadvantaged, what differences in priority for journalistic practice do their conceptual distinctives suggest? The particular focus in communitarian media ethics on

giving voice to individuals might call for a priority on stories highlighting these narratives, but if Rawls also gives priority to the least advantaged, would his perspective call for anything different?

• What are the distinctives and similarities between the notions of care growing out of feminist ethics and the conception of justice in communitarian ethics? Unlike rights-based notions of justice growing out of the liberal tradition or built on Kohlberg's moral development theory, communitarian justice focuses on people in relationship with others—as do feminist ethics of care. Even though these other conceptions of justice have been set against notions of care (e.g., Steiner & Okrusch, 2006), justice in communitarianism has much common ground with care-based ethics. How would these two perspectives inform the work of journalism differently?

Finally, it is important to evaluate journalists' own perspectives on justice as a value and goal of their work. Journalists across a variety of beats and genres could be interviewed to shed further light on the importance they place on justice as a value, how they define it, and how they view it in relation to other journalistic values.

Beyond exploring implications for journalism, researchers could extend their evaluation of justice-related concerns to other media areas that have gotten less attention from ethics scholars. Persuasive communication by public relations and advertising practitioners is filled with justice implications. For example, advocacy for a particular public policy or business decision may advance or hinder the fair treatment of vulnerable parties in a community. Advertising for an expensive product may raise questions of social justice if it explicitly targets people with little ability to pay. Some previous scholarly work such as Baker and Martinson's development of the TARES Test (2001) has already explored justice-related concerns as they apply to persuasion. However, consideration of justice in public relations and advertising with additional attention to analysis at the levels of individual, organization, profession, and society might further sharpen discussion of what constitutes ethical practice. In the entertainment world, justice-based analysis could shed light on a variety of issues such as the fairness of portrayal of older people and minorities; the casting and treatment of reality show participants for the sake of humor; and broader considerations of the responsibility of movie, television, and music producers to society. While critics have made much of the need for responsible practice in entertainment media, the scholarly field of entertainment ethics is in its infancy. Careful consideration of justice in the development of entertainment ethics research would help ensure that entertainment products and processes are evaluated at a variety of levels and from multiple theoretical perspectives.

REFERENCES

Baker, S., & Martinson, D. (2001). The TARES test: Five principles for ethical persuasion. *Journal of Mass Media Ethics*, *16*, 148–175.

Barger, W. (2003). Moral language in newspaper commentary: A Kohlbergian analysis. *Journal of Mass Media Ethics*, *18*, 29–43.

Beauchamp, T. L., & Childress, J. F. (2013). *Principles of biomedical ethics* (7th ed.). New York: Oxford University Press.

Bellah, R., Madsen, R., Sullivan, W., Swidler, A., & Tipton, S. (1985). *Habits of the heart: Individualism and commitment in American life*. New York: Harper & Row.

Bellah, R., Madsen, R., Sullivan, W., Swidler, A., & Tipton, S. (1991). *The good society*. New York: Knopf.

Bivins, T. (2018). *Mixed media: Moral distinctions in advertising, public relations, and Journalism* (3rd ed.). New York: Routledge.

Brislin, T. (1992). "Just journalism": A moral debate framework. *Journal of Mass Media Ethics*, *7*, 209–219.

Byrne, J. A., France, M., & Zellner, W. (2002). "The environment was ripe for abuse". *Business Week,* February 25, 118–120.

Christians, C., & Nordenstreng, K. (2004). Social responsibility worldwide. *Journal of Mass Media Ethics*, *19*, 3–28.

Christians, C. G. (2007). Utilitarianism in media ethics and its discontents. *Journal of Mass Media Ethics*, *22*, 113–131.

Christians, C. G., Fackler, M., & Ferré, J. P. (2012). *Ethics for public communication: Defining moments in media history*. New York: Oxford University Press.

Christians, C. G., Fackler, M., Richardson, K. B., Kreshel, P. J., & Woods, R. H., Jr. (2017). *Media ethics: Cases and moral reasoning* (10th ed.). New York: Routledge.

Christians, C. G., Ferré, J. P., & Fackler, P. M. (1993). *Good news: Social ethics and the press*. New York: Oxford University Press.

Coleman, R. (2011a). Color blind: Race and the ethical reasoning of Blacks on journalism dilemmas. *Journalism and Mass Communication Quarterly*, *88*(2), 337–351.

Coleman, R. (2011b). The moral judgment of minority journalists: Evidence from Asian American, Black, and Hispanic professional journalists. *Mass Communication and Society*, *83*(4), 835–850.

Commission on Freedom of the Press. (1947). *A free and responsible press*. Chicago, IL: University of Chicago Press.

Craig, D. (2006). *The ethics of the story: Using narrative techniques responsibly in journalism*. Lanham, MD: Rowman & Littlefield.

Craig, D. A. (1996). Communitarian journalism(s): Clearing conceptual landscapes. *Journal of Mass Media Ethics*, *11*, 107–118.

Craig, D. A. (1997). Covering the ethics angle: Toward a method to evaluate and improve how journalists portray the ethical dimension of professions and society (Doctoral dissertation, University of Missouri Columbia, 1997). *Dissertation Abstracts International*, *59*(02), 1999.

Craig, D. A. (1999). A framework for evaluating coverage of ethics in professions and society. *Journal of Mass Media Ethics*, *14*, 16–27.

Craig, D. A. (2000a, August). *Covering the ethics of death: An exploration of three model approaches*. Paper presented at the meeting of the Association for Education in Journalism and Mass Communication, Phoenix, AZ.

Craig, D. A. (2000b). Ethical language and themes in news coverage of genetic testing. *Journalism & Mass Communication Quarterly*, *77*, 160–174.

Craig, D. A. (2002). Covering ethics through analysis and commentary: A case study. *Journal of Mass Media Ethics*, *17*, 53–68.

Craig, D. A., & Turner, K. T. (2003, July). *Bad apples or rotten culture? Media discourse on the corporate scandals of 2001 and 2002*. Paper presented at the meeting of the Association for Education in Journalism and Mass Communication, Kansas City, MO.

Day, L. A. (2006). *Ethics in media communications: Cases and controversies* (5th ed). Belmont, CA: Thomson Wadsworth.

Elliott, D. (2007). Getting Mill right. *Journal of Mass Media Ethics*, *22*, 100–112.

Ettema, J. S., & Glasser, T. G. (1998). *Custodians of conscience: Investigative journalism and public virtue*. New York: Columbia University Press.

Gilligan, C. (1982). *In a different voice: Psychological theory and women's development*. Cambridge, MA: Harvard University Press.

Gimein, M., Dash, E., Munoz, L., & Sung, J. (2002). You bought. They sold. *Fortune*, September 2, 64–74.

Gorman, C., Nash, J. M., Park, A., Thompson, D., & Weingarten, T. (1995). The doctor's crystal ball. *Time*, April 10, 60–62.

Kohlberg, L. (1981). *Essays on moral development*. San Francisco, CA: Harper & Row.

Kukathas, C., & Pettit, P. (1990). *Rawls: A theory of justice and its critics*. Stanford, CA: Stanford University Press.

Lambeth, E. B. (1992). *Committed journalism: An ethic for the profession* (2nd ed.). Bloomington, IN: Indiana University Press.

Lind, R. A. (1996). Care and justice in audience evaluations of ethics in TV news. *Journal of Mass Media Ethics*, *11*, 82–94.

Meyers, C. (2003). Appreciating W. D. Ross: On duties and consequences. *Journal of Mass Media Ethics*, *18*(2), 81–97.

Meyers, C. (2011). *Re*appreciating W. D. Ross: Naturalizing prima facie duties and a proposed method. *Journal of Mass Media Ethics*, *26*, 316–331.

Mill, J. S. (2003). On the connexion between justice and utility. In M. Warnock (Ed.), *Utilitarianism and On liberty: Including Mill's "Essay on Bentham" and selections from the writings of Jeremy Bentham and John Austin* (2nd ed., pp. 216–235). Malden, MA: Blackwell.

Mulhall, S., & Swift, A. (1992). *Liberals and communitarians*. Oxford: Blackwell.

Patterson, P., Wilkins, L., & Painter, C. (2019). *Media ethics: Issues & cases* (9th ed.). Lanham, MD: Rowman & Littlefield.

Pippert, W. G. (1989). *An ethics of news: A reporter's search for truth*. Washington, DC: Georgetown University Press.

Plaisance, P. L. (2014). *Media ethics: Key principles for responsible practice* (2nd ed.). Thousand Oaks, CA: Sage.

Plaisance, P. L. (2015). *Virtue in media: The moral psychology of excellence in news and public relations*. New York: Routledge.

Protess, D. L., Cook, F. L., Doppelt, J. C., Ettema, J. S., Gordon, M. T., Leff, D. R., & Miller, P. (1991). *The journalism of outrage: Investigative reporting and agenda building in America*. New York: Guilford Press.

Rawls, J. (1971). *A theory of justice*. Cambridge, MA: Belknap Press of Harvard University Press.

Ross, W. D. (2002). *The right and the good*. (P. Stratton-Lake, Ed.). Oxford: Oxford University Press.

Rourke, M. (1998). Kevorkian's latest act raises new concerns. *Los Angeles Times*, November 25, p. E1.

Sandel, M. (1982). *Liberalism and the limits of justice*. Cambridge: Cambridge University Press.

Serrin, J. S., & Serrin, W. (Eds.). (2002). *Muckraking! The journalism that changed America*. New York: New Press.

Siebert, F. S., Peterson, T., & Schramm, W. (1956). *Four theories of the press*. Urbana, IL: University of Illinois Press.

Smith, R. F. (2008). *Ethics in journalism* (6th ed). Malden, MA: Blackwell.

Steiner, L., & Okrusch, C. M. (2006). Care as a virtue for journalists. *Journal of Mass Media Ethics*, *21*, 102–122.

Tichi, C. (2004). *Exposés and excess: Muckraking in America, 1900–2000*. Philadelphia, PA: University of Pennsylvania Press.

Vacco v. Quill, 521 U.S. 793 (1997).

Ward, S. J. A. (2010). *Global journalism ethics*. Montreal: McGill-Queen's University Press.

Ward, S. J. A. (2011). Ethical flourishing as aim of global media ethics. *Journalism Studies*, *12*, 738–746.

Washington v. Glucksberg, 521 U.S. 702 (1997).

Wilkins, L., & Coleman, R. (2005). *The moral media: How journalists reason about ethics*. Mahwah, NJ: Erlbaum.

21

Transparency in Journalism
Meanings, Merits, and Risks

Kyle Heim and Stephanie Craft

Journalism, as it traditionally has been practiced, is under assault on multiple fronts. Its authority is challenged by blogs, social media, and other information platforms that lay claim to the same truth-telling mission as the mainstream press. Its credibility is battered by cries of bias and "fake news" that reveal a deepening hostility toward the news media.

While beleaguered reporters and editors can take some refuge in the bedrock principles of their craft, even the core values that once distinguished their work are called into question as the news industry confronts the realities of declining public trust and rapid technological change. Consequently, media scholars and practitioners have begun to revisit what it means to be an ethical journalist in the digital age.

Transparency has emerged from these discussions as a potential new norm—an essential element of modern journalism and a method by which journalists can re-establish trust with the public. In their book *The New Ethics of Journalism: Principles for the Twenty-first Century*, McBride and Rosenstiel (2014) posited three guiding principles of journalism: truth, community, and transparency. Transparency was a new addition, replacing independence, which was no longer deemed relevant given the proliferation of news sources with strong political or economic allegiances.

The Society of Professional Journalists (SPJ), the largest journalism organization in the United States, added the concept of transparency to its code of ethics in 2014, the first time the document had been revised since 1996. Transparency was given equal standing with accountability in the code's fourth foundational principle: "Be accountable and transparent" (SPJ, 2014). The Radio Television Digital News Association (RTDNA) followed suit one year later, incorporating transparency into one of its ethics code's three guiding principles: "truth and accuracy above all," "independence and transparency," and "accountability for consequences" (RTDNA, 2015).

The revised codes were the product of years of debate among journalism professionals and academics in which transparency was heralded as "the new objectivity" (Weinberger, 2009) and an "essential element of credibility" (Plaisance, 2007, p. 193) but also criticized as "overhyped" (Ward, 2013, para. 3) and "the buzziest of buzzwords" (Cunningham, 2006, p. 9). In one sense, the SPJ and RTDNA have settled the debate over transparency by formalizing the concept as a legitimate norm of the journalism field (Vos & Craft, 2017). In another sense, the debate has

only begun, as journalists grapple with what it means to be transparent and how to translate the abstract principle into everyday practice.

For all its popularity and its potential importance in addressing journalistic and public concerns, discussion of transparency has suffered from a lack of clarity in its definition. This ambiguity hinders both academic inquiry into the role transparency should play in journalistic practices and journalism's ability to create new or better ways to respond to its critics, reconnect with its audience, and fulfill its ethical obligations.

The arguments for transparency's importance seem to rest on basic norms of journalism practice that ultimately are grounded in a definition of journalism as having a distinct public or democratic purpose. Generally speaking, such arguments note the public's need for a certain kind and quality of information to aid in self-governance and community sustenance and journalism's unique qualifications for providing that information. That the public relies on this information creates an obligation for journalism to perform in ways that bolster public trust in the information. Transparency, it follows, is one tool for bolstering that trust. But does that conclusion necessarily follow? Answering that question will require much more clarity regarding what transparency is and requires. What is unclear in the many ways transparency is invoked in discussion and takes form in practice is precisely *what* needs to be transparent—motives? Processes? Information?—in order for journalism to fulfill its more general obligation and *how* it should do so. Also unclear is whether transparency of any of those things, in whatever "amount," is actually a means to producing the desired effect. There may be reasons, in fact, to think that transparency can be counterproductive.

This chapter will attempt to sort through some of the confusion surrounding transparency in the hopes of pointing toward a conceptualization of it that is more amenable to theorizing as well as to practice. The chapter will examine transparency in journalism, its meanings, merits, and risks. First, we will identify how journalistic transparency has been defined and employed, paying particular attention to the implications of two primary ways in which it has been understood. Second, we will examine transparency's value as well as its relationship to trust and media accountability. Third, we will consider the possible dangers of transparency, including implications of too much transparency, and suggest avenues for future research to clarify transparency and justify it as means to achieving the kind of accountability and improved media credibility people seem to want.

WHAT IS TRANSPARENCY?

If transparency can be summarized in a single word, that word is "openness" (Karlsson, 2010; Plaisance, 2007; Vos & Craft, 2017). Plaisance (2007) characterizes transparent behavior as "conduct that presumes an openness in communication and serves a reasonable expectation of forthright exchange" (p. 188). Journalism is not the only field that has been encouraged to pull back the curtain and be more transparent. The push for greater openness in the news media can be seen as part of a global trend toward transparency in domains as diverse as corporate financial reporting, monetary policy, international politics, and food and tobacco labelling. Nor is journalistic transparency an entirely new concept. Throughout the twentieth century, journalists engaged in some degree of transparency through practices such as editor and ombudsman columns or descriptions of interviews conducted to produce a story (McBride & Rosenstiel, 2014).

It was not until the early 2000s, however, that the notion of transparency clearly captured journalists' attention and imagination (Vos & Craft, 2017). In 2004, two dozen top media executives, journalists, and consultants gathered at an Aspen Institute conference, where they called

for a presumption of openness in American journalism and concluded that journalists ought to be "as transparent as practical" (Ziomek, 2005, p. vi). A similar call was heard fifteen years later when the Knight Commission on Trust, Media, and Democracy urged journalists to practice "radical transparency" (Knight Commission, 2019, p. 7) as part of a broader strategy to address the American public's loss of faith in democratic institutions.

The desire to rebuild trust in the news media may be the driving force behind these initiatives, but it is the Internet that has created the climate in which transparency can flourish. Weinberger (2009) contends that transparency is a better fit for the digital age than the traditional norm of objectivity:

> Just as objectivity mirrors the essential nature of print—one person publishes, the report is done and the rest of us read—transparency mirrors the nature of the Web: Content is linked, public, discussed and always subject to dispute and revision.
>
> (para. 12)

In contrast to the limited capacity of print and broadcast media, the Internet affords more space for links, corrections, and other information to help audiences better understand the work journalists do. The immediacy of online news also can be said to foster transparency. As reporters post the first drafts of their news stories online, followed by updates throughout the day, some of the journalistic work that used to be performed "backstage" is made visible on the "front stage" (Karlsson, 2011).

For all of the lip service paid to journalistic transparency and the high-profile initiatives undertaken in its name, scholars have noticed a gap between the way transparency is normatively imagined and the way it is (or is not) practiced in most newsrooms (Chadha & Koliska, 2015). Interviews with journalists reveal that many of them have "an inadequate appreciation of the importance of holding the concept of transparency as an end goal in ethical deliberations" (Plaisance & Deppa, 2009, p. 376). Many reporters insist that the mundane nature of their daily work is of little interest or value to their audiences (Chadha & Koliska, 2015), and they do not perceive transparency as a high priority of management (Gade et al., 2018).

Part of the difficulty in implementing transparency may be the lack of consensus on how best to define and measure it. Transparency requires openness, but what sort of openness and in what amount? Until we better understand what transparency is and what it involves, it will be difficult if not impossible to know whether it is worth promoting and whether it is likely to actually produce greater accountability or trust.

We should start by addressing two basic questions: First, when people call for greater transparency, *what* do they want to be transparent? Second, what is it for a relevant thing to be *transparent*? When, for example, does explaining how a decision to pursue a particular news story was made count as being transparent and how is the explanation of the decision made transparent?

If we start with the second question, we can note that transparency appears in at least two distinct but related guises in the scholarly literatures of journalism and other fields—as availability of information and as disclosure of it. As "availability," transparency is passive. It refers to a state in which documents, statistics, procedures, motives, and intentions are open to public view. Although not referring to journalism specifically, Christensen and Cheney (2015) note that "most calls for transparency are presented as demands for information, even if information itself is not the ultimate goal" (p. 74). The notion of transparency as availability of information shares common ground with the theory of information ethics advanced by Luciano Floridi, in which the "infosphere"—"the collected sum of information itself"—is central (see Hongladarom, 2004, for a brief overview).

> Floridi's information ethics is predicated on the idea that ethical norms are based on the size of the infosphere—on whether the norms do improve or impoverish the infosphere. This works well if everything in the infosphere is *transparent*; that is, if any and all the information contained in the infosphere is readily available to be discerned and made use of by anybody who enters it.
>
> (Hongladarom, 2004, p. 92, emphasis in original)

Weinberger (2009) adopts a similar perspective by associating transparency with the practice of hyperlinking. When links to additional information are made available online, the reader can "see through the author's writings to the sources and values that brought her to that position" (para. 6). In the same vein, Phillips (2010) equates journalistic transparency with the attribution of sources, which offers readers a way to trace information to its origins.

One example of transparency as availability was the decision by *Frontline* to publish "The Putin Files," the complete, unedited interviews conducted for its 2017 documentary "Putin's Revenge." The two-part PBS television documentary focused on Russian President Vladimir Putin and his attempts to influence the 2016 U.S. presidential election. Seventy hours' worth of interviews were posted online, along with interactive features that enabled website visitors to search the videos and transcripts (Aronson-Rath, 2017). As journalist and media entrepreneur Steve Brill observed, "What *Frontline* is doing is a perfect way to take advantage of the capacity of digital technology to make more material *available* to consumers of news" (Warren, 2017, para. 15, emphasis added).

Like the *Frontline* project, most news organizations' transparency efforts seem to embody the "availability" perspective. In interviews, journalists at leading U.S. news outlets reported that transparency in their newsrooms generally consists of such things as linking to original documents and publishing reporters' email addresses and biographies (Chadha & Koliska, 2015). Making this information available to readers or viewers certainly adds context and expands the "infosphere," but it does little to make visible how journalists operate. In the case of the "Putin Files," for example, the interview transcripts do not indicate why particular sources were chosen to be interviewed nor do they explain why specific portions of the interviews were included or excluded from the television broadcasts.

In contrast to transparency as availability, transparency as disclosure is active and involves explanations of the ways in which news is selected and produced (Karlsson, 2010). Disclosure practices may include "sharing the basis for news decisions and editorial judgments, showing evidence and reliability of facts, [and] revealing journalist-source relationships, conflicts of interest, and how projects are funded" (Gade et al., 2018, p. 160). It is this active disclosure that most advocates of transparency appear to have in mind when issuing their demands or recommendations. The SPJ code of ethics, for example, asserts that "ethical journalism means taking responsibility for one's work and explaining one's decisions to the public" (SPJ (Society of Professional Journalists), 2014) while the Knight Commission (2019) urges the media to develop "industry-wide, voluntary standards on how to disclose the ways they collect, report and disseminate the news" (p. 7).

Adopting a disclosure perspective, Kovach and Rosenstiel (2014) maintain that journalism should be guided by a "spirit of transparency." For each news item, journalists should ask themselves what their audience needs to know to evaluate the story, consider whether any further explanation is needed, and acknowledge any questions they cannot answer.

The Washington Post embodied this spirit when it reported allegations that Roy Moore, the Republican candidate in a 2017 Alabama special election for the U.S. Senate, had engaged in inappropriate contact with teenage girls (Blanding, 2018). Embedded in the story was an explanation of how a *Post* reporter had learned of the allegations (McCrummen, Reinhard, & Crites, 2017). Then,

when a woman associated with the right-wing group Project Veritas tried to embarrass the *Post* and trick it into publishing her false claim of having been impregnated by Moore, the newspaper wrote a story and produced a 10-minute video explaining how it discovered the woman was lying and why it broke its agreement of confidentiality with her (Boburg, Davis, & Crites, 2017).

Although availability and disclosure seem to represent the two primary forms that transparency takes, it should be noted that Karlsson (2010) identifies an additional form—"participatory transparency"—that connects transparency to interactivity by inviting citizens to join in different stages of the news production process. For example, when *The Washington Post*'s David Fahrenthold investigated U.S. President Donald Trump's claims of charitable giving, he contacted more than 350 organizations to ask whether they had received any donations from Trump. Fahrenthold posted his handwritten list of charities on Twitter and updated it throughout the investigation, inviting input from readers on where to search next. Here is how Fahrenthold explained his actions and motivations:

> What I wanted to do with this was give people a way to see what I did. I'm not trying to conceal anything about what I've tried, and I'm open to people['s] suggestions … I just want to be transparent about why I called these groups and who I called and what I learned. I'm hoping that people who come in with that degree of distrust see that and appreciate it.
>
> <div align="right">(quoted in Bilton, 2016, para. 19)</div>

On a practical level, the distinctions among the different forms of transparency suggest different ways of making something transparent. How, for example, could a decision to pursue a news story be made transparent? Under the availability perspective, a news organization could post a list of commonly used newsworthiness criteria to its website. Readers and viewers could consult the rubric to figure out how any story matches up. Approaching the example from the disclosure perspective, we see more active options. Making the decision transparent could take the form of including an editor's note with each story explaining its newsworthiness. Participatory transparency could include the extra step of asking readers to vote on which stories they find most newsworthy or inviting them to attend the editorial meetings where decisions about news coverage are made.

We need not consider availability, disclosure, or participation to be competing or mutually exclusive perspectives. Still, their interchangeable use in some of the scholarly literature and trade press confuses efforts to understand what transparency is and requires, both practically and ethically. Making the distinction has theoretical implications for considering when availability is appropriate or "enough" to accomplish the aims of transparency and when more active disclosure seems warranted. Either case, however, assumes we can know *how* to make a thing transparent. Let us consider something—motives—which seem to be especially difficult to render transparent.

Returning to our earlier example, let's imagine that the issue is not the method by which the decision to pursue a story was made but the motives of the decision-makers employing that method. If one were to take the availability perspective, it might suffice for the decision-makers merely to respond to questions about their motives. Under the disclosure perspective, a more active offering of explanation, perhaps in the form of an editor's note accompanying the story, might be required. Providing such an account, whether passively or actively, depends on knowing one's motives and being able to communicate them. This is no easy hurdle to clear. Human beings are capable of both self-deception and a lack of self-awareness, so we cannot assume that the motives a person ascribes to himself are his actual motives. Moreover, we cannot assume that the reader or viewer will understand those motives, even if they are the "real" ones, in the way the journalist understands them.

This scenario and its attendant difficulties call to mind the ideal speech situation described by Jürgen Habermas. Habermas's work on discourse ethics, as well as the idea of the public

sphere, has influenced a number of scholars interested in ways that journalism might invigorate public dialogue and its own relationship with the public. Transparency is an important component of the ideal speech situation, enabling each participant in a discourse to perfectly know and understand the motives and intentions of the other participant. As Sinekopova (2006) points out, this ideal of transparency is possible only if one considers language to be a transparent medium, capable of transmitting pure meaning. In his discussion of scholarly interpretations of Rousseau's views regarding transparency in political life, Marks (2001) offers a definition that also suggests a difficulty in achieving genuine transparency of motives. He writes: "What exactly is transparency? Simply put, it is a state in which we experience things, ourselves and other people as they really are, in which appearance corresponds to reality" (p. 623). While such transparency is already difficult in the face-to-face encounter of the ideal speech situation, it is unclear whether it is even possible to achieve in the mediated encounters between journalists and their audiences. Flyverbom (2016) argues that transparency might at best produce "managed visibilities" rather than the complete insight and clarity that many of its advocates envision:

> The transparency literature often relies on a simple and deceptive formula that equates information with transparency and considers this clarity to be a direct path to accountability and good governance. That is, if information is shared, we can see things as they really are, and if everything is visible, no bad behavior takes place.
>
> (pp. 118–119)

It goes beyond our purposes here to settle the question of whether or how well the pictures in our heads correspond with the world outside, as Lippmann (1922) might have put it. For now, it is enough to say that, even if perfect transparency is unattainable, it is reasonable to consider circumstances or practices as affording more or less transparency relative to others. We point out the special challenges of motive transparency not because the extreme case helps us to highlight problems with transparency more generally, but because concern about motives, more than other aspects of journalistic performance, may be what is propelling calls for transparency. Given that journalists already open many aspects of their work to public view—identifying sources, correcting errors, declaring potential conflicts of interest—much of the additional information that proponents of greater transparency seem to want relates more to intentions than facts, to providing an account more than to making information available.

THE VALUE OF TRANSPARENCY

That transparency has been defined variously or vaguely should not suggest doubt about its value. Indeed, it seems to be taken for granted that transparency is good and worth promoting. Transparency is seen as an indispensable element of public accountability and a necessary condition for promoting public trust in institutions. Underlying these values is transparency's contribution to truth seeking and truth telling. Overall, transparency's value is seen as primarily instrumental. It is a means through which greater accountability may be achieved, credibility may be enhanced, and truth may be told.

In journalism, transparency is valued primarily for its role in creating and sustaining trust. McBride and Rosenstiel (2014) maintain that transparency is "the most persuasive way to make a case for why audiences should trust you" (p. 92). News organizations, faced with a deepening credibility crisis, are eager to improve their standing with their audiences. In one poll, 69 percent of U.S. adults said their trust in the news media had decreased in the past decade (Gallup, 2018). Bias and inaccuracy were the chief complaints. But the same poll also offered some

encouraging news: 69 percent of those whose had lost trust in the news media thought that it could be restored. Transparency emerged as a key indicator of trust, with 71 percent saying a commitment to transparency is "very important" in determining whether they trust a news organization (Gallup, 2018).

This linkage among citizens' ability to witness, to evaluate, and, therefore, to trust, indicates the valued role transparency plays in facilitating journalistic accountability. Indeed, providing an account is seen as an affirmative moral duty of professionals (Newton, Hodges, & Keith, 2004). But to whom are journalists accountable, and for what? There are no simple answers. "Accountability" is often used interchangeably with "responsibility," though McQuail (2003) and Hodges (Newton et al., 2004) are among the scholars who argue that it is essential to distinguish the two. Hodges offers the following definitions:

> The issue of responsibility is: To what social needs should we expect journalists to respond ably? The issue of accountability is: How might society call on journalists to explain and justify the ways they perform the responsibilities given them?
>
> (Newton et al., 2004, p. 173)

The news media are generally averse to allowing external parties to define their responsibilities or to following formal procedures for answering criticisms of how they discharge them, as McQuail (2003) notes. Transparency, engaged in voluntarily, seems directed at overcoming this general aversion and at least signaling a willingness to give the public more information to aid in its evaluation of performance and to answer to criticism of that performance.[1]

Despite the belief that transparency will enhance trust and promote accountability, the limited empirical research in this area has yielded mixed results. Curry and Stroud (2019) found that exposure to a news webpage containing transparency elements such as footnotes and an explanation of how and why the news story was written yielded higher credibility ratings than exposure to a webpage without such elements. Other experiments have been less encouraging. Tandoc and Thomas (2017) operationalized transparency as the presence of personal information about the writer of a news story or blog post and found that the transparent articles containing the additional information were rated less credible than the non-transparent articles. In another study that used multiple versions of a newspaper story containing different forms of disclosure and participatory transparency, the various elements had almost no effect on message or source credibility (Karlsson, Clerwall, & Nord, 2014).

Rather than taking a purely utilitarian view of transparency, Plaisance (2007) grounds its value in meeting journalists' ethical obligation of respect for persons:

> [T]ransparency is tightly bound up with the Kantian duty of acting in ways that respect the humanity—or, more precisely, the rational capacity and the free will to exercise that capacity—of others. We fail in this regard when we are not upfront about our intent or purpose.
>
> (p. 203)

This link to the principle of humanity also is manifest in the trust and credibility transparency encourages, Plaisance argues.

> [W]hen the concept of transparency is properly understood, in fact it ought to limit deception and misinformation. … Even if transparency is not always a sufficient condition for more ethical behavior, its absence is a prerequisite for deception, which presents serious challenges for anyone who values ethical behavior.
>
> (p. 193)

Proponents of transparency also argue that it fosters dialogue between journalists and their audiences. Such dialogue is valued for its own sake as well as for its contribution to promoting trust. Steven A. Smith (2005), former editor of *The Spokesman-Review* newspaper in Spokane, Washington, said the "transparent newsroom" treats citizens as "partners in the news conversation" rather than as passive consumers (p. 44). Smith characterized the transparent newsroom as the opposite of fortress journalism, in which a news organization walls itself off from the communities it covers. Again, however, empirical evidence provides some reasons for skepticism. A content analysis by Nemeth and Sanders (2001), for example, concluded that many practices associated with transparency—letters to the editor, correction boxes, and ombudsman columns—in fact constitute a "truncated dialogue" that includes little meaningful discussion of newspaper performance (p. 58).

THE DANGERS OF TRANSPARENCY

Advocates of transparency contend that it can help limit deception, increase trust, and encourage dialogue and mutual understanding. These are powerful reasons to promote it. What, if anything, might temper our enthusiasm for doing so? The prospect of pursuing transparency and achieving none of these positive outcomes would certainly be disappointing, as the failed pursuit would represent a waste of time, energy and other precious resources. That the hoped-for good outcomes might not occur, however, is a trivial reason not to promote transparency. Rather, we need to consider the potential for increased transparency to create new problems as troublesome as those it is intended to solve or, worse, exacerbate the very problems transparency is meant to cure.

First, let's consider the potential for transparency to serve interests that may be antithetical to independent journalism. Taking a cue from political philosophy, we note that transparency is not necessarily neutral. Garvey (2000), contrasting Bakhtin's views on transparency with those of Habermas, notes that while both men "recognize the theoretical connection between communicative transparency and the ethical value of sincerity," Bakhtin "associates transparency with the power that social interests can bring to bear on a discourse" (pp. 376–377). In short, Bakhtin sees transparency as a potential threat to autonomy in that it cannot be politically neutral. While forcing government policies into the light probably does not pose a threat, the issue "gets cloudier" as one moves closer to transparency of self, Garvey argues. (We offer the mundane example that few people would agree that completely transparent interactions with one's family over Thanksgiving dinner would be desirable.)

Others have noted that transparency must be weighed against the need to keep some information out of public reach. Wasserman (2006), for example, argues that transparency might hinder rather than help independent journalism. He points in particular to transparency of journalistic processes, suggesting that what we have been calling the disclosure perspective does not give journalists the room they need to do good work.

> The problem goes to the nature of journalism, which is practiced in a state of continual tension between private and public spheres. As public as the reporter's orientation is, journalism relies on an untidy, creative and collaborative process of debate, argumentation and muted conflict. I think that is how journalists strive to understand the realities they are then supposed to represent to the public via news. That process needs a space and needs a degree of privacy.
>
> I would strongly agree that the news media need to be held accountable publicly for the results of that process, especially when those results are badly flawed. But that is not the same as saying that the process itself should be routinely conducted in public view.
>
> (Wasserman, 2006)

Wasserman suggests that calls for transparency are, in fact, politically motivated, making their interference with journalism practice more troublesome. Proponents, he contends, are more concerned with an alleged "ideological pollution" in journalism than with accuracy or fairness. "The point is not to hold media accountable, but make certain media discountable, by asserting that the journalism those media organizations provide is programmatic and ideological—is little better than propaganda—and cannot be trusted" (Wasserman, 2006).

Another way in which the risk of promoting transparency might exceed the reward is what O'Neill (2002) characterizes as almost an inverse relationship between transparency and trust. She notes that "public distrust has grown in the very years in which openness and transparency have been so avidly pursued" (p. 69). O'Neill's explanation for this counterintuitive observation: While transparency may be able to eliminate secrecy, it cannot eliminate the kind of deception or deliberate misinformation that produces distrust. The flood of available information—ever more so due to greater and more widespread technological capacity—compounds the problem.

Indeed, scholars have issued the caution that, taken to the extreme, transparency can be counterproductive, bombarding people with so much information that it becomes nearly impossible to separate the "signal" from the "noise." As Florini (1999) explained: "In a cynical view, if you really want to hide information, the best thing to do is to bury it in a flood of data" (p. 9). The point was already made in journalism more than a decade ago, when the debate over transparency was still rather new. An *American Journalism Review* article titled "Too Transparent?" questioned whether the pressure for journalists to explain themselves is spiraling out of control and quoted one former newspaper editor who noted the virtue in transparency but said, "We may well have gone overboard" (Smolkin, 2006, p. 16).

O'Neill (2002) agrees, connecting trust not to the amount of available information but to what one is able to do with the information.

> We place and refuse trust not because we have torrents of information (more is not always better), but because we can trace *specific* bits of information and *specific* undertakings to *particular* sources on whose veracity and reliability we can run some checks.
>
> (p. 76, emphasis in original)

Given that journalism is conducted in such a way that those specifics and particulars are already—transparently—available, we are left to wonder about the value of increased transparency of less checkable information such as motives or even methods and processes. In fact, that less easily verified information might be a breeding ground for the kind of deception that O'Neill and others worry about. Motives, we have noted, are particularly difficult to make transparent. To be sure, knowing a communicator's motives is to have some basis for critiquing what is communicated and whether those motives conflict with some general expectation about good performance. Transparency in this sense is anticipatory. It anticipates what people need to know to make sense of what is being communicated. However, if my motives are suspect, the requirement to be transparent might create an incentive for me to hide my actions and motives even more carefully.

Finally, there is the danger that transparency may be aimed at the wrong things and distract attention from what is really important. As Strathern (2000) puts it, "What does visibility conceal?" (p. 310). First, it seems reasonable to say that those things that can most easily be rendered transparent are what, in fact, will be made transparent, whether or not those things are especially relevant to the overall goals of greater transparency. Second, the "easy" things that have been made transparent are reified as the important things or even as transparency itself.

Chadha and Koliska (2015) observed that major U.S. news outlets generally engage in a type of "low-risk, managed transparency" (p. 227). Reporters interviewed by the researchers stated that their news organizations favor transparency measures that can be implemented with limited resources or personnel, enabling them to "appear open, with relatively little effort" (p. 222). More ambitious transparency efforts—namely, those that embody the disclosure perspective—may be reserved for special projects that are expected to bring the news organization favorable publicity, as illustrated by the comments of one interviewee:

> One *Wall Street Journal* reporter said the approach to fundamental aspects of journalistic deci-
> sion making remains "relatively old school, with explanations about process being more or less
> reserved for only a handful of stories, the kind that are entered for the Pulitzers."
> (Chadha & Koliska, 2015, p. 225)

It is far from a settled question, then, whether transparency can make the important, or merely the easy and desirable, more visible. If it were easiest or most advantageous to ask reporters to make the sources of information in their stories transparent—fully identify them and indicate why their views are considered worthy of inclusion in the story—then doing so would constitute being transparent. That practice has the added benefit of being empirically observable and measurable, so the public could assess for themselves how well the reporters were doing in meeting the expectation of transparency. Notice how much more difficult it would be to make transparent an editor's or publisher's decisions about how newsroom resources (human and financial) are deployed, and how the fact that news organizations do not typically reveal such information is not considered a blow to transparency. Which of these kinds of information, sources or resources, is more important? It is not difficult to make an argument for the importance of both, but notice how unlikely it is that we would get both.

GOING FORWARD

Certainly, we do not mean to present a false choice—between transparency of certain things and not others, or even between transparency and opacity more generally—only to highlight some of the practical and theoretical difficulties the push for transparency presents. As this overview of the potential advantages and disadvantages in pursuing transparency makes clear, more research is needed on at least two fronts. First, it is imperative to provide a justification for transparency, given the risks of pursuing it, that goes beyond merely acknowledging that accountability depends on a certain level of transparency. Plaisance (2007) has explored such a theoretical foundation in Kant's principle of humanity; other perspectives are needed as well.

Second, further empirical work addressing public reactions to transparency efforts or, more specifically, to the kind of journalism featuring relatively greater transparency, would shed light on whether transparency actually achieves the goods its proponents trumpet. Several researchers have tested the relationship between transparency and credibility (e.g., Curry & Stroud, 2019; Karlsson et al., 2014; Tandoc & Thomas, 2017), but we would encourage research to explore goods other than credibility that greater transparency might produce. In some sense, to focus on credibility is to focus on the needs of the news organization, not the readers or viewers. Examining transparency from the perspective of interactivity, for example, might include addressing what methods of transparency—editor's notes, forums, etc.—work best for the readers and viewers. What level of interactivity is necessary for something to be considered transparent enough? Whether and how the participation of the audience contributes to credibility and trust are likewise questions worthy of research.

Finally, we note that most discussion of journalistic transparency has focused on the efforts of major newspapers and broadcast networks. But as one television news producer correctly observed, "the burden (and opportunity) of trust-building doesn't just fall on news organizations, but also on the platforms where people consume our stories" (Aronson-Rath, 2017, para. 5). Scholars might examine how social media platforms define and practice transparency, and how those definitions and practices differ from those of traditional news organizations. In particular, the lack of transparency surrounding the algorithms that determine which items appear in social media users' news feeds, and the order in which they appear, merits investigation.

In general, future research ought to examine the best ways of being transparent, of making information available and disclosing intentions. To this last point we might add that, in our view, for transparency to mean little more than availability is a meager conceptualization indeed. If transparency does not connote a more active type of disclosure, then it does not appear to add much to how journalism currently is practiced.

NOTE

1. What we in mind here is what McQuail and others call the "answerability" model of accountability. As distinguished from the "liability" model, answerability focuses "on the quality of performance rather than on specific harm caused" (McQuail, 2003, p. 204).

REFERENCES

Aronson-Rath, R. (2017). Transparency is the antidote to fake news. *Nieman Lab*, December. Retrieved July 18, 2019, from www.niemanlab.org/2017/12/transparency-is-the-antidote-to-fake-news/

Bilton, R. (2016). How one *Washington Post* reporter uses pen and paper to make his tracking of Trump get noticed. *Nieman Lab*, September 9. Retrieved July 18, 2019, from www.niemanlab.org/2016/09/how-one-washington-post-reporter-uses-pen-and-paper-to-make-his-tracking-of-trump-get-noticed/

Blanding, M. (2018). Can extreme transparency fight fake news and create more trust with readers? *Nieman Reports*, *72*(2), 34–41.

Boburg, S., Davis, A. C., & Crites, A. (2017). A woman approached *The Post* with dramatic—And false—Tale about Roy Moore. She appears to be part of undercover sting operation. *The Washington Post*, November 27. Retrieved July 18, 2019, from www.washingtonpost.com/investigations/a-woman-approached-the-post-with-dramatic–and-false–tale-about-roy-moore-sje-appears-to-be-part-of-undercover-sting-operation/2017/11/27/0c2e335a-cfb6-11e7-9d3a-bcbe2af58c3a_story.html

Chadha, K., & Koliska, M. (2015). Newsrooms and transparency in the digital age. *Journalism Practice*, *9*(2), 215–229.

Christensen, L. T., & Cheney, G. (2015). Peering into transparency: Challenging ideals, proxies, and organizational practices. *Communication Theory*, *25*(1), 70–90.

Cunningham, B. (2006). Skin deep: When "transparency" is a smoke screen. *Columbia Journalism Review*, *45*(2), 9–10.

Curry, A. L., & Stroud, N. J. (2019). The effects of journalistic transparency on credibility assessments and engagement intentions. *Journalism: Theory, Practice & Criticism*, 1–18. Advance online publication, doi:10.1177/1464884919850387

Florini, A. M. (1999, April). *Does the invisible hand need a transparent glove? The politics of transparency*. Paper prepared for the Annual World Bank Conference on Development Economics, Washington, D.C.

Flyverbom, M. (2016). Transparency: Mediation and the management of visibilities. *International Journal of Communication*, *10*, 110–122.

Gade, P. J., Dastgeer, S., DeWalt, C. C., Nduka, E.-L., Kim, S., Hill, D., & Curran, K. (2018). Management of journalism transparency: Journalists' perceptions of organizational leaders' management of an emerging professional norm. *International Journal on Media Management*, *20*(3), 157–173.

Gallup (2018). Indicators of news media trust: A Gallup/Knight Foundation survey. Retrieved July 18, 2019, from https://kf-site-production.s3.amazonaws.com/media_elements/files/000/000/216/original/KnightFoundation_Panel4_Trust_Indicators_FINAL.pdf

Garvey, T. G. (2000). The value of opacity: A Bakhtinian analysis of Habermas' discourse ethics. *Philosophy and Rhetoric*, *33*(4), 370–390.

Hongladarom, S. (2004). Making information transparent as a means to close the global digital divide. *Minds and Machines*, *14*, 85–99.

Karlsson, M. (2010). Rituals of transparency: Evaluating online news outlets' uses of transparency rituals in the United States, United Kingdom and Sweden. *Journalism Studies*, *11*(4), 535–545.

Karlsson, M. (2011). The immediacy of online news, the visibility of journalistic processes and a restructuring of journalistic authority. *Journalism*, *12*(3), 279–295.

Karlsson, M., Clerwall, C., & Nord, L. (2014). You ain't seen nothing yet: Transparency's (lack of) effect on source and message credibility. *Journalism Studies*, *15*(5), 668–678.

Knight Commission on Trust, Media and Democracy. (2019, February). *Crisis in democracy: Renewing trust in America*. Washington, DC: Aspen Institute.

Kovach, B., & Rosenstiel, T. (2014). *The elements of journalism: What newspeople should know and the public should expect* (3rd ed.). New York: Three Rivers Press.

Lippmann, W. (1922). *Public opinion*. New York: The Free Press.

Marks, J. (2001). Jean-Jacques Rousseau, Michael Sandel and the politics of transparency. *Polity*, *33*(4), 619–642.

McBride, K., & Rosenstiel, T. (2014). Learning the transparency habit. In K. McBride & T. Rosenstiel (Eds.), *The new ethics of journalism: Principles for the 21st century* (pp. 89–92). Thousand Oaks, CA: CQ Press.

McCrummen, S., Reinhard, B., & Crites, A. (2017). Woman says Roy Moore initiated sexual encounter when she was 14, he was 32. *The Washington Post*, November 9. Retrieved July 18, 2019, from www.washingtonpost.com/investigations/woman-says-roy-moore-initiated-sexual-encounter-when-she-was-14-he-was-32/2017/11/09/1f495878-c293-11e7-afe9-4f60b5a6c4a0_story.html

McQuail, D. (2003). *Media accountability and freedom of publication*. Oxford: Oxford University Press.

Nemeth, N., & Sanders, C. (2001). Meaningful discussion of performance missing. *Newspaper Research Journal*, *22*(1), 52–64.

Newton, L., Hodges, L., & Keith, S. (2004). Accountability in the professions: Accountability in journalism. *Journal of Mass Media Ethics*, *19*(3–4), 166–190.

O'Neill, O. (2002). *A question of trust*. Cambridge: Cambridge University Press.

Phillips, A. (2010). Transparency and the new ethics of journalism. *Journalism Practice*, *4*(3), 373–382.

Plaisance, P. L. (2007). Transparency: An assessment of the Kantian roots of a key element in media ethics practice. *Journal of Mass Media Ethics*, *22*(2–3), 187–207.

Plaisance, P. L., & Deppa, J. A. (2009). Perceptions and manifestations of autonomy, transparency and harm among U.S. newspaper journalists. *Journalism & Communication Monographs*, *10*(4), 327–386.

RTDNA (Radio Television Digital News Association) (2015, June 11). *RTDNA code of ethics*. Retrieved July 18, 2019, from www.rtdna.org/content/rtdna_code_of_ethics

Sinekopova, G. V. (2006). Building the public sphere: Bases and biases. *Journal of Communication*, *56*(3), 505–522.

Smith, S. A. (2005). A newsroom's fortress walls collapse. *Nieman Reports*, *59*(3), 44–45.

Smolkin, R. (2006). Too transparent? *American Journalism Review*, *28*(2), April/May, 16–23.

SPJ (Society of Professional Journalists) (2014, September 6). *SPJ code of ethics*. Retrieved July 18, 2019, from www.spj.org/ethicscode.asp

Strathern, M. (2000). The tyranny of transparency. *British Educational Research Journal*, *26*(3), 309–321.

Tandoc, E. C., Jr., & Thomas, R. J. (2017). Readers value objectivity over transparency. *Newspaper Research Journal*, *38*(1), 32–45.

Vos, T. P., & Craft, S. (2017). The discursive construction of journalistic transparency. *Journalism Studies*, *18*(12), 1505–1522.

Ward, S. J. A. (2013). Why hyping transparency distorts journalism ethics. *MediaShift*, November 4. Retrieved July 18, 2019, from http://mediashift.org/2013/11/why-hyping-transparency-distorts-journalism-ethics/.

Warren, J. (2017). PBS' "Frontline" makes an admirable move toward transparency. *Poynter*, October 25. Retrieved July 18, 2019, from www.poynter.org/newsletters/2017/pbs-frontline-makes-an-admirable-move-toward-transparency/

Wasserman, E. (2006). *Transparency and quality journalism*. Speech to the Forum Folha de Jornalismo. Sao Paulo.

Weinberger, D. (2009). Transparency: The new objectivity. *KMWorld: Content, Document, and Knowledge Management*, August 28. Retrieved July 18, 2019, from www.kmworld.com/Articles/Column/David-Weinberger/Transparency-the-new-objectivity-55785.aspx

Ziomek, J. (2005). *Journalism, transparency and the public trust: A report of the eighth annual Aspen Institute conference on journalism and society*. Washington, DC: Aspen Institute.

22

Coercion, Consent, and the Struggle for Social Media

Kevin Healey

In tracing the history of social media, one might begin with late eighteenth-century English coffeehouses: full of passionate debates, open to all comers, and cited by some as the downfall of education and workplace productivity.[1] In fact, Tom Standage (2013) draws this analogy in an upbeat *New York Times* piece on the state of digital technologies. "There is always an adjustment period when new technologies appear," Standage reassures us, and while disruptions may occur, "the lesson of the coffeehouse is that modern fears about the dangers of social networking are overdone."

Such glossing histories are ripe for criticism: those coffeehouses were bastions of masculine privilege. Technological differences trouble simple comparisons. Indeed, to rest assured of the beneficence of new social spaces is to abandon responsibility for their legal and cultural development. This is especially true during critical junctures in which policy decisions—often made behind closed doors—set the course of development for decades. An "adjustment period" is precisely the time to err on the side of prudent foresight, as technical protocols tend to become locked in, hardware and software become path dependent, and network effects tend toward monopoly and economic disenfranchisement (Lanier, 2013; McChesney, 2013). As Grossweiler (2012) suggests,

> If you expect that a new medium is neutral and simply additive, the unexpected consequences will be negative. If you expect that a new medium will have only a positive impact, the consequences also will be negative. But if you anticipate that a new medium will have negative consequences, the consequences are more likely to be positive.
>
> (pp. 92–93)

While determinism of any stripe is to be avoided, current discourses tend toward self-serving celebration. But blind faith in the inherent beneficence of new technologies cedes ground to those power players who have come to shape the field. The idealistic dreams of early internet researchers and counterculture hackers, of advertising-free collaboration and free exchange, have given way to a commercialized landscape in which users are treated as audiences to be sold to the highest bidder. To recapture Standage's analogy, a handful of elites not only own the coffeehouses, but efficiently track customers in their movements, conversations, and preferences—allowing them to nudge conversations and consumer choices in directions favorable to the bottom line.

WHO DEFINES "SOCIAL MEDIA"?

The dominance of commercial forces in shaping social media is exemplified by the fact that marketers have authored most of the articles aimed at defining the term. Essentially, social media overturns the one-way model of radio and television broadcasting by involving audiences in content production. Early Web 1.0 predecessors of today's popular social media platforms include chat rooms, list servs, and instant messaging services like AIM and ICQ. Relationship-based sites like Classmates.com were popular in the mid-1990s, and the turn of the century spawned various community sites with limited "friends" functionality, like AsianAvenue, MiGente, and BlackPlanet (boyd and Ellison, 2007, p. 213). Launched in 1997, SixDegrees.com was the "the first recognizable social network site," paving the way for Web 2.0 sites like MySpace and Friendster—which in turn were displaced by Facebook, Twitter, Google+, Second Life, and LinkedIn (p. 214).

Though immensely popular, such social networking sites are a sub-set of the broader category of social media, which includes a variety of platforms and applications that enable interactivity and sharing. Many platforms encourage user-produced content, including YouTube for video, SoundCloud for audio, and Instagram, Flickr, and Pinterest for photographs. Users often share content from such platforms on social networking sites, and in some cases (like YouTube and Google+), content-sharing and social networking platforms are owned by one company. Music streaming sites like Pandora and Spotify allow sharing of user-created stations. Sites like Digg and Reddit enable news sharing, as do plug-ins like StumbleUpon, which run on social networking platforms or browser software. Wikis and blogging platforms like WordPress allow visitors to post comments and engage in discussion. Protocols that enable sharing and accessing of blogs like RSS (Really Simple Syndication) also fall under this broad category. Any platform, application, or widget that enables participation, collaboration, sharing, community formation, or augmentation of real-time events may be considered social media.

There is a danger, though, in painting emergent media with too broad strokes. Lumping together different platforms and projects under the generic headings of social media, Web 2.0, or "the internet" obscures their ethical and political differences (Morozov, 2013). As Catherine Coleman (2013) argues,

> When used in celebratory terms, Web 2.0 puts on equal footing a user who uploads a video on YouTube or a photo on Flickr (corporate-owned, proprietary platforms) and a free software developer or even a Wikipedian who is part of a nonprofit, collective effort.
>
> (p. 208)

Technologies simultaneously reflect and shape culture, so it is important to understand differences in the values that drive emergent projects. Social media platforms do not always resemble coffeehouses, and those that do may serve not as bridge-building seminars but bastions of hate speech.[2] The struggle to define social media in both technical and moral terms is ongoing.

APPROACHING ETHICS IN SOCIAL MEDIA

An ethics of social media cannot afford to indulge naïve assumptions of technological neutrality or sweeping claims of technological determinism (positive or negative). Values and norms drive development, and digital technologies can encode ideas about how information should be managed, stored, and exchanged. Yet human judgment remains indispensable. While technologies

may exhibit limited functional neutrality (a gun can be used to protect or to murder the innocent), such neutrality presupposes a moral ecology fundamentally transformed by the affordances of such technologies (a world with guns is a different moral landscape than one without). Despite the intentions of developers, technologies alter moral ecologies in unpredictable ways. As new technologies create systemic disturbances along certain value axes, they generate impassioned debate and renegotiations of social norms. For example, early internet subcultures (counterculture movements, hackers, researchers) valued collaboration and openness, developing protocols and infrastructures intended to support such values. Yet commercial and government interests have exploited these infrastructures to enhance consumer and military surveillance operations. Users and participants who make due within these confines face exploitation, privacy violations, and dehumanization (Solove, 2004, p. 47). Technologies do not operate deterministically either in positive or negative ways, but through their unique affordances force the attention of human judgment toward certain axes of value. Technological development therefore does not overcome, but instead both involves and necessitates, ongoing political struggle.

Unfortunately, popular debates are driven by myopic assumptions about technology that obscure rich understandings of the long-term implications of social media. Discourses of social media ethics are driven largely by corporate and military interests, which have a vested interest in framing technology as politically and economically democratizing. Ideologies of online ethics are produced and managed in ways that benefit commercial and governmental interests at the expense of the public. Meanwhile, users and consumers tend to focus on social privacy (which of my friends can see my status update?) while neglecting complex issues of informational privacy (what third party organizations have access to my personal data?). Commercial news coverage exacerbates these issues by, for example, highlighting the personal saga of whistle blower Edward Snowden while failing to address the systemic issues that his leaked information uncovers.

The key players in public debates (corporations, governments, consumers, activists) each approach social media ethics from a perspective limited by some combination of ignorance, short-sighted self-interest, and techno-centric ideology. Due to their unique affordances, social media disrupt moral ecologies along the fault lines of specific axial values including autonomy, authenticity, responsibility, and trust (Bugeja, 2009; Healey, 2010). As a result they provoke debates about social norms like privacy and consent. Corporate and government rhetoric about the benefits of transparency redefines privacy norms at the expense of consumer, user, and activist rights. The death of privacy is sold as a route to authentic self-expression, but transparency in the digital economy typically functions as a one-way mirror, eschewing reciprocity in favor of perpetual surveillance operations that bolster vested power structures. Corporate privacy policies and legislative frameworks that expand military surveillance undermine substantive notions of consent in favor of control and coercion. Rhetoric about the democratizing benefits of interactivity obscures issues of labor exploitation and the externalization of risk (Lanier, 2013, pp. 59–63). Celebrations of the benefits of big data, whether for consumers or national security, obscure issues of reputation control and individual autonomy. In other words, the "media regimes" that characterize the digital era are accompanied by ideological or normative regimes that tend to undermine the achievement of human dignity (Williams and Delli Carpini, 2009). To realize the democratic potential of social media requires a recognition and rejection of the common assumptions that drive popular debates.

Consumer Surveillance and the Coercion of Consent

An individual's ability to control the relative openness of one's personal boundaries is central to the achievement of autonomy and authenticity (Margulis, 2011, p. 12; Trepte and Reinecke, 2011, p. 62). Yet even before the arrival of social media, executives proclaimed the irrelevance

of online privacy. In 1999, Sun Microsystems' CEO Scott McNealy stated flatly, "You have zero privacy anyway. … Get over it" (Sprenger, 1999).

Such extraordinary statements, which redefine basic privacy norms, reflect the commercial interests driving most social media platforms. In its early years the internet was largely a non-commercial and even anti-commercial institution (McChesney, 2013, p. 97). In the mid-1990s, however, the backbone of the internet was turned over to the private sector (p. 104). While companies like Google initially rejected the idea of relying on advertising, today they depend on it for their livelihood (p. 102). Commercial social media platforms treat users as a means to an end, cultivating vast databases of user information to be sold to advertisers.

Not surprisingly, such companies downplay privacy issues and instead proclaim the benefits of data collection—namely that advertisements and social news feeds will be more personalized and relevant. In general, users are unconcerned about how their data is used by third parties, as long as they can manage how it is shared with friends. In other words, they tend to focus on social privacy rather than informational privacy, protesting loudest when the former is compromised. Facebook faced a massive backlash in 2007 for its Beacon program, which announced users' consumer purchases from partner websites in Facebook's news feeds. A U.S.-based class action lawsuit, premised on the notion that any such announcement requires user consent, ended the program. Watchdog groups in Canada and Norway raised similar complaints. In 2009, Facebook nevertheless changed its privacy settings so that users' actions defaulted to "public." In explanation, Mark Zuckerberg said that people had become more comfortable with openness and sharing, and Facebook had simply "decided that these would be the social norms now" (Frum, 2012). Numerous reports summarized Zuckerberg's statement under the headline "privacy is dead."

While users—especially teens—are concerned about social privacy, they tend to be unaware of informational privacy issues. Parents express some concern about how much information advertisers can collect about their children, but teens have little understanding or concern about third-party data use (Madden et al., 2013). As a result, many forego reasonable steps to protect informational privacy (Facebook and your privacy, 2012). However, breaches of informational privacy have long-lasting impacts. Third-party companies have used such data to deny individuals insurance coverage, lower their credit scores, and target them with discriminatory pricing schemes or ads that reinforce gender and racial stereotypes (Andrews, 2013, pp. 35–37).

Companies like Facebook and Google approach issues of consent in ways that reflect distinctly U.S.-based models of privacy. European models are more deontological, viewing privacy as an inalienable right even if its protection has negative economic impacts (Bodle, 2011, p. 159). In the E.U. data are protected by default and users must opt-in, while in the U.S. data is collected by default and users must opt-out (p. 160). The U.S. takes a utilitarian or "interest-based" approach through industry self-regulation, on the principle that business access to user data provides "the greatest good for the greatest number" (pp. 159–160). This approach focuses on professional codes of conduct, user contracts, and norms within the industry, placing the burden on users to trust in these companies' good faith.

Google, for example, actively cultivates a sense of trust among its users as part of its public relations and branding efforts (pp. 160–161). If users trust the company with their data, they are more likely to click through user-end agreements, even if such agreements are so complex as to render informed consent meaningless (Nissenbaum, 2011). Vague language in such agreements obscures how often collection and sharing occurs. Justifications for data collection focus on user rather than company benefits, constructing a binary choice between privacy and quality of service (Bodle, 2011, pp. 161–163). Furthermore, while companies insist that users have the choice to opt-out, they actively "nudge" user decisions through the effective use of "choice architecture"

(Vaidhyanathan, 2011, p. 88). In summary, their approach to securing consent is one of soft coercion, including reassurances of the benefits of disclosure, obfuscation through self-serving legal terminology, subtle choice architecture, and legal strong-arming.

Technologies of Intimacy and Revenge

Ironically, the same corporate entities declaring openness as the new social norm benefit from tight intellectual property and technical barriers that keep algorithms and databases sealed from public and competitor scrutiny. Media and legal discourses place primary importance on the protection of profit-generating information, while framing private sexual content as uncontrollable and therefore beyond the reach of legal protection (Hasinoff, 2015, p. 134). In fact, the assumption is that social media users consent to the distribution of private data by the mere act of participation. Transparency is a one-way street: privacy is dead for thee, but not for me, declare the social media giants.

Beyond buttressing corporate power, such libertarian models of information have the broader cultural impact of solidifying entrenched cultural ideologies of sexuality and gender. As Hasinoff (2015, p. 137) argues, "private sexual images can be seen as a non-normative sexual behavior and thus not deserving of privacy." In this light, consider Google CEO Eric Schmidt's well-reported statement on privacy: "If you have something that you don't want anyone to know," Schmidt remarked in 2009, "maybe you shouldn't be doing it in the first place" (Streitfeld, 2013). A year later, Rutgers University student Tyler Clementi committed suicide after his roommate, Dharun Ravi, surreptitiously used a webcam to view Clementi's romantic encounter with another man. Via Twitter, Ravi invited friends to view a second encounter either in his room or via iChat. Clementi jumped to his death from the George Washington Bridge before Ravi could hold his viewing party. The tragedy underscores the fact that, as Natasha Lennard (2013) explains, corporate notions of transparency are "underpinned by an immense privilege" since those who boast of having nothing to hide rarely identify as racial, political, or sexual minorities.

Numerous court battles and public debates about sexting—the sending and receiving of sexually explicit texts, photos, or other messages—demonstrate how libertarian information policies buttress traditional hetero-normative standards of gender and sexuality. Hasinoff (2015) argues that school and law enforcement authorities fail to make meaningful distinctions between consensual sexting, where the participants' goal is pleasure and communication, and abusive sexting, where a perpetrator—usually male—distributes a partner's image without her consent. This framework "has damaging effects, particularly for girls, who are more likely to be both humiliated and punished if their sexual images circulate widely" (p. 133). In one case, two cheerleaders were suspended from school for sexting, while the boys who shared their private images were left unpunished (p. 140). In the court system, legal models are problematic because they view any production of explicit underage material as child pornography. In 2009, for example, a fourteen-year-old girl was arrested for posting nude pictures of herself on MySpace (Lunceford, 2011, p. 103). Thus it is possible that, upon reporting an incident of abusive sexting, the victim may be prosecuted for the production of child pornography.

Such cases suggest that even as young people are developing their own norms to protect privacy in the context of consensual sexting, legal systems lack the nuance required to address the complexity of adolescent sexuality in the digital environment (Lunceford, 2011, p. 103). Hasinoff (2015, p. 139) argues for the adoption of an "explicit consent" model that would introduce technical and legal restrictions on the non-consensual production or distribution of private content by individuals, businesses, or governments. This approach might address the gender imbalance

that tends toward leniency for young men who maliciously distribute images while criminalizing young women who may have initially produced the images in a consensual context.

As in the case of consumer data collection, however, the line between consent and coercion is unclear. Cultural pressures toward the sexualization of young women, coupled with commercial incentives to develop applications that afford more frequent and intimate communications, suggest that even consensual sexting may be considered a form of self-exploitation (Lunceford, 2011, p. 106). Lunceford rejects such a stark assessment, arguing from a utilitarian perspective that sexting teens are seeking happiness as they understand it. Even so, he notes that this search unfolds in a context in which young women encounter sexualized images of other teens, such as Miley Cyrus's suggestive photo spread in *Vanity Fair*—images that, if produced by private individuals, might be considered child pornography (p. 102). In this sense, "adolescents who engage in sexting seem to have internalized the sexualization of the world in which they live" (p. 109). Applications developed to enhance user control over explicit images, such as Snapchat, arguably contribute to such cultural pressures by streamlining the technological affordances that enable such communications. Citing Ellul, Lunceford argues that "teens who engage in sexting are pushing the boundaries of adolescent sexuality in ways that have less to do with the adolescents themselves and more to do with the technologies available to them for expression of those desires" (p. 112).

Traditional social media platforms stand to gain, if inadvertently, from the proliferation of such applications. While applications like Snapchat tout themselves as privacy enhanced, groups like the Electronic Privacy Information Center claim that they misrepresent their data security practices (Guynn, 2013). Time-limited photos can be screen-captured, and past photos are retrievable with proper technical know-how. Thus Facebook and Tumblr groups have formed where users post captured Snapchat nudes. Yet the privacy policies to which these companies coerce users' consent are written not to protect users from such exploitation but to protect the implicated companies from liability when abuses occur.

While mainstream companies benefit indirectly from the exploitive use of sexting applications, rogue entrepreneurs like Hunter Moore and Craig Brittain have developed platforms whose revenue models are premised on the non-consensual distribution of explicit images. "Revenge porn" websites generate traffic and ad revenue by allowing users to upload explicit images of people—usually a male user's ex-girlfriend—without their consent. In some cases these images are linked directly to the Facebook or Twitter profile of the victim. In defense of his business model one revenge porn developer, Craig Brittain, invoked rhetoric that echoes Mark Zuckerberg's idealistic view of transparency. "It's part of a progressive cause," Brittain told host Bob Garfield of *On the Media*, explaining that "my eventual goal is that everyone will have public information posted about them, preferably naked, that it'll be a normal thing. It'll no longer be associated with stigma or shame or humiliation, but it will be normal" ("Is Anybody Down?", 2012). Presumably such new norms of disclosure would usher in an era of unbounded, authentic self-expression. In the meantime, however, Brittain operated the site as an extortion scheme, placing ads for a phony law firm next to the photos and enticing victims to pay a fee to have them removed.

While private corporations have established a robust legal apparatus to protect copyrighted material and other intellectual property, the legal system has been slow to address issues of abusive sexting. Following the Tyler Clementi case, New Jersey became the first state to pass legislation addressing revenge porn, followed by similar proposed bills in Florida and California. By early 2019, over 40 U.S. state legislatures had addressed the problem directly. New York was among the last to follow this trend, passing its version of a revenge porn law in March of 2019 after a long period of opposition from tech companies. For their part, advertisers (including third-party providers like Google) have begun to respond to boycotts of social media sites

like Ask.fm, which was implicated in the cyber-bullying and subsequent suicide of 14-year-old Hannah Smith (Topping and Coyne, 2013). Yet it is clear that social media companies largely steer the ship when it comes to legislation addressing privacy and consent, in ways that consolidate corporate power while externalizing risks to individual users, with social minorities bearing the brunt of the burden.

Government Surveillance and Corporate Collusion

State regulatory agencies are ostensibly positioned to protect the public against privacy abuses. Yet in the U.S. especially, legislators and executives share a common reverence for networked technologies as a sacred source of economic productivity and democratic freedom. Policies are crafted on the premise that digital networks are an extension of natural ecological systems, from which perspective any regulatory interference is a violation of natural law, if not God himself (Healey, 2013). Not surprisingly, oversight is meek. In response to complaints of deception with regard to user privacy, in 2011 the U.S. Federal Trade Commission reached a settlement with Facebook and Google that subjected each company to twenty years of privacy audits. The companies would be able to hire their own auditors, however, and would be able to keep the resulting reports from the public in the interest of protecting trade secrets (Hill, 2011).

These companies' subsequent behavior has not been reassuring. Two years after the FTC settlement, German regulators fined Google 145,000 Euros for illegally storing e-mails, passwords, and images collected from home wireless networks by its Street View cars—a fine amounting to a mere 0.005 percent of the company's annual profits (Ferenstein, 2013). Meanwhile, the FTC determined that Facebook may have violated its 2011 agreement by enabling the massive privacy scandal surrounding the Cambridge Analytica data firm. As of this writing, Facebook and the FTC are negotiating what may be the largest-ever fine against any tech company.

Governments' role in protecting the public is not only legally and financially meager; it is fundamentally compromised by military and national security interests. As McChesney (2013) notes, the relationship between social media companies and the national security apparatus is not adversarial but "complementary and collegial, even intimate" (p. 162). Cheaper and more reliable than government employees, one critic describes the internet as "a surveillance tool made in heaven" (p. 161). Social media websites are invaluable in this regard. The U.S. Department of Homeland Security searches sites like Facebook and Twitter to assess public reaction to proposals under consideration (p. 165). The Internal Revenue Service searches social media for evidence of tax evasion, and the U.S. Citizenship and Immigration Services relies on these sites to search for immigration fraud. The National Security Agency is developing its own storage facilities for user data, much of which is collected from social media platforms like Facebook, YouTube, and Skype through the once-secret PRISM program. In fact, one reporter described PRISM as "a social media version of a Bush administration program" that had been designed to track terrorist financing (Wertheimer and Temple-Raston, 2013). Echoing corporate rhetoric that frames user-end policies as a binary choice between consumer benefits and personal privacy, government rhetoric frames such top-secret surveillance programs as a stark choice between national security and Fourth Amendment rights.

Social media companies stand to benefit from cooperation with government surveillance initiatives. Network effects tend to generate monopolies in internet service providers (ISPs), search engines, and social networks. This process makes government data collection easier and therefore provides little incentive to break up concentrated markets. AT&T and Verizon—a virtual duopoly in wireless service—employ dozens to respond to law enforcement requests for surveillance data (McChesney, 2013, p. 112). As these companies seek subsidies and tax benefits

from legislators, compliance with government requests is more likely. Legislation like the Cyber Intelligence Sharing and Protection Act (CISPA), which passed the U.S. House of Representatives in 2012, provides both government access to such data and legal protection to companies who share it (p. 167). ISPs are often paid for cooperation with law enforcement efforts, and third-party companies like LexisNexis offer products designed to provide social media data to law enforcement (p. 165). Some U.S.-based security technologies are sold to authoritarian governments in China and Pakistan, troubling the self-serving refrain that digital technologies are an inherently democratizing force (p. 163). In fact, the U.S. military has made copyright and patent protection "an integral part of cyberwarfare," so much so that the U.S. federal government often acts "like a private police force for the internet giants" (p. 162).

Social media companies responded to the disclosure of the top-secret PRISM program with indignant denials, and Google pressed for measures allowing it to disclose more details about the government data requests it receives. But Google's rhetoric about transparency is premised on the assumption that any resistance to disclosure—whether from citizens or government—is an admission of guilt. It is a radically conservative notion of transparency since, as Lennard (2013) explains, "that which *can* be transparent, without fear of persecution, will always be co-extensive with that which poses no real threat to the current socio-politico-economic status quo." In other words, the same ideology of transparency that renders vulnerable a sexual minority like Tyler Clementi will do likewise for dissidents, activists, and other political minorities. While the quieting of political dissent is obviously beneficial to state power, it is advantageous to a social media companies like Google as well, since the latter understands controversial content on YouTube not as the flourishing of dissent but a primary cause of lost advertising revenue (Andrejevic, 2009). As personal data disappears behind the firewalls of laissez-faire policies that protect corporate trade secrets and undisclosed military surveillance programs, a Kafka-esque scenario emerges in which unaccountable bureaucracies treat dehumanized citizens in a spirit of profound indifference (Solove, 2004, p. 55).

ANONYMITY AS COUNTER-ETHOS

As profit-driven social media companies, in conjunction with military interests, seek to establish compulsory sharing and disclosure as new social norms, activists have sought to build alternate social media platforms where privacy and anonymity are valued as foundational elements of political freedom and human dignity. As part of a broader free and open-source software (F/OSS) movement, some of these include the collaborative knowledge platform Wikipedia, the Linux open-source operating system, grassroots collectives like Indymedia, the non-profit social networking platform Diaspora, and the whistle-blowing organization WikiLeaks. Through such means, activists harness digital media to establish deep social ties and buttress political movements (C. Coleman, 2013, pp. 209–210).

The cyber-vigilante movement Anonymous exemplifies this development, having made effective use of social media to mobilize support for the Arab Spring, U.S.-based and international Occupy networks, and WikiLeaks (Coleman, 2012, p. 94). In ways that highlight the biases of digital networks toward information disclosure, Anonymous seeks to reverse the one-way transparency of corporate and military surveillance by turning digital networks into citizen-wielded tools of vigilance that expose corporate and political malfeasance while protecting the privacy of activists—symbolized by its use of the iconic Guy Fawkes mask (p. 87).

As Coleman explains, while the group lacks a "programmatic plan to topple institutions or change unjust laws," it nevertheless succeeds in making their evasion "seem easy and desirable"

(p. 86). Through its strident critique of the technology industry, furthermore, Anonymous "offers a provocative antithesis to the logic of constant self-publication, the desire to attain recognition or fame"—one which many scholars and activists find "profoundly hopeful" in the context of persistent corporate and military surveillance (p. 92). Through its coordinated actions, the group frames anonymity as a political practice that maintains the crucial distinction between one's public and private selves, even as powerful institutions seek to collapse that distinction. In doing so, Anonymous suggests that citizens "must be the guardians of their own individuality, or determine for themselves how and when it is reduced into data packets" (p. 94).

Emerging from the online image board 4chan, which began in 2003 and is known as "one of the most offensive quarters of the internet" for its celebration of pornography, Anonymous was characterized early on by an ethos of mischievousness (p. 83). "Trolling" has long been part of this ethos, as exemplified by the group's dedicated denial of service (DDoS) attacks, prank calls, and other actions against the Church of Scientology. While still embracing "pre-political" prankster-ism, over time the group's actions have taken a more political tone, including a focus on issues of free speech and corporate or government deception (p. 87). Recently, the group has engaged in public shaming of young men who have raped women, captured their assault with photographs or video, and publicized it through social media (Swash, 2013). In such cases, the group frames its campaigns as attempts to spur unresponsive law enforcement agents and legal systems into action.

Through actions that resulted in numerous arrests in the U.S. and abroad, Anonymous has also aligned itself closely with WikiLeaks, an organization that depends on social media to such an extent that it developed its own encrypted social networking platform called Friends of WikiLeaks. In response to WikiLeaks' 2010 release of the Afghanistan war logs (a collection of secret documents leaked by U.S. intelligence analyst Bradley Manning), organizations including PayPal, Visa, MasterCard, and Amazon refused to handle financial transactions or internet traffic for WikiLeaks. In response, Anonymous coordinated DDoS attacks against these organizations, causing millions of dollars in financial damages. In 2011, the group launched Operation HBGary against CEO Aaron Barr of the security firm HBGary Federal. Internal documents revealed that Barr, in conjunction with Bank of America, had planned to undermine WikiLeaks by submitting fake documents and subsequently exposing them (Coleman, 2012, p. 91). Hacking into Barr's accounts, Anonymous released his private e-mails through the Pirate Bay bit torrent website and defaced his Twitter feed while publicizing its actions in separate tweets.

While these campaigns demonstrate that activists can harness digital networks to reverse the trend toward one-way, pro-corporate transparency regimes, they also highlight the need to develop a more robust ethics of social media activism. Reflecting on Operation HBGary, Coleman notes "there is something deeply ironic and troubling about … unveiling a person's identity, name, phone number, social security number" in order to make a point about the need for privacy and anonymity (p. 92). In fact, some Anonymous members "took issue with the collateral damage wrought by Operation HBGary, especially the excessive leaking of personal information," and others criticized "the necessarily clandestine nature of such hacks" as running "counter to the ethos of transparency" (p. 91). Critics have raised similar complaints about the group's actions on behalf of rape victims, suggesting that their efforts to expose the identities and personal details of rapists could easily frame innocent young men as perpetrators. Former Anonymous member Jennifer Emick also accuses the group of hypocrisy, having received highly misogynistic and sexualized threats after breaking from the group (Swash, 2013).

These episodes reveal that, whether voiced by corporate or anti-corporate actors, the motto of "transparency for thee, but not for me" is ethically unsustainable. In fact, the F/OSS movement's techno-centric ideology mirrors the corporate-military sacralization of digital networks

(Lanier, 2013, p. 316). For such reasons scholars like MacKinnon (2012) remain skeptical of cyber-vigilantism as a counter-hegemonic strategy, insisting instead on the development of institutional and legal models that can strike a balance between privacy and transparency with prudent judgment and accountability (pp. 26–27).

THE DEATH (AND LIFE) OF JOURNALISM

While Anonymous offers no clear program for institutional reform, the emergent models of journalism forged by cooperation between bloggers, activist organizations like WikiLeaks, and traditional news sources like *The Guardian* have managed to put both corporations and governments on the defensive with regard to mass surveillance of consumers and citizens. As "the nation's early warning system," this watchdog role is, in fact, the first task of journalism (McChesney, 2013, pp. 83–84). Yet the trend toward online commercialism threatens to undermine the potential for journalists to harness social media in ways that bolster this watchdog role.

Coverage of the 2013 Boston bombings demonstrates the potential for social media to damage law enforcement efforts, stir up racial and religious hatred, and harm innocents through false accusation. Through platforms like 4chan, Twitter, and Reddit, armchair detectives cast suspicion on at least four innocent people. Siva Vaidhyanathan called the developments "one of the most alarming social media events of our time," noting that "we're really good at uploading images and unleashing amateurs, but we're not good with the social norms that would protect the innocent" (Bensinger and Chang, 2013). In the rush to stay ahead of possible developments, mainstream news coverage suffered from similar lapses in judgment. Police had to ask the *Boston Globe* to remove address information the *Globe* had tweeted about SWAT team operations and, in perhaps the most egregious incident, two innocent Moroccan-American men sued the *New York Post* for the front-page publication of an amateur photograph of the men accompanied by the headline "Bag Men."

Journalists' relationship with more sophisticated social media organizations like WikiLeaks is likewise ethically fraught. Papers like *The Guardian* assume significant responsibility when reviewing and publishing documents such as the Afghanistan war logs, since they may face charges of causing collateral damage (Elliott, 2013). Lovink and Riemens (2013) argue that leak organizations must establish a robust ethical framework in order to ensure protection both of whistleblowers and any individuals mentioned in leaked materials. While supporters praise the release of damning information that exposes malfeasance, such concerns threaten to undermine the potential of social media to bolster journalism's watchdog role. "If publishing is not carried out in a way that is absolutely secure for all concerned," they argue, "there is a definite risk that the 'revolution in journalism'—and politics—unleashed by WikiLeaks will be stopped in its tracks" (Lovink and Riemens, 2013, p. 252). This point was driven home in the aftermath of the 2016 U.S. Presidential campaign, when investigators discovered a pattern of troublesome communications between WikiLeaks' founder Julian Assange and Trump campaign advisor Roger Stone.

Ward and Wasserman (2010) argue that such concerns call for "an open approach to journalism ethics" that would "regard the code of ethics as intended not just for professionals but also for anyone who uses media to do journalism" (p. 277). Ethical frameworks should include "all users of media insofar as their tweets, blog comments, and social media sites affect others" (p. 281). Such inclusion should not be limited to solicitations for feedback with regard to accuracy, for example, but the meaningful participation of users in decisions about content, editorial judgment, and organizational management.

While Ward and Wasserman cite *The Guardian* as exemplary in its efforts to forge an open ethic (p. 286), commercial pressures have led most news organizations to over-rely on the speculation of amateur social media while avoiding entanglement with more sophisticated, but politically controversial, organizations like WikiLeaks. In the case of U.S. National Security Agency (NSA) whistleblower Edward Snowden, even the most scrupulous efforts to ensure the judicious release of information were met in mainstream media with accusations of wrongdoing against Snowden, WikiLeaks, and *Guardian* reporter Glenn Greenwald. Greenwald (2013) argued that if Snowden had intended harm to the U.S., he could have sold or released the information *in toto*. Instead he chose to work closely with a legitimate news source, selectively releasing documents to the *Guardian* and allowing the paper to exercise its own editorial judgment. "The public needs to know the kinds of things a government does in its name," Snowden explained, "or the 'consent of the governed' is meaningless" ("Edward Snowden," 2013). Nevertheless, coverage in the U.S. often focused on Snowden's personal saga in ways that displaced substantive debate about the released information and adhered closely to U.S. officials' narrative of national security and espionage—a problem exemplified by *Meet the Press* host David Gregory's suggestion that Greenwald had "aided and abetted" Snowden (Beaujon, 2013). While the *Washington Post* also reported on documents it received from Snowden, the paper's subsequent acquisition by Amazon CEO Jeff Bezos caused some concern among critics, as Amazon had cooperated willingly with the U.S. State Department in refusing its hosting services to WikiLeaks.

The issues of corporate and government collusion that impede efforts to bolster consumer privacy thus have equally troubling implications for the watchdog function of professional journalism. Yet cynical cries about the internet's inherently destructive impact on journalism are just as guilty of misguided technological determinism as celebratory calls to let the Internet "work its magic" in resuscitating the industry (McChesney and Nichols, 2011, p. xvi). Looking beyond the naiveté of celebrants and the cynicism of skeptics, the potential exists to develop social media platforms, ethical codes, and regulatory policies that support basic democratic values and the institutions that protect them.

BUILDING A VIRTUAL COFFEEHOUSE

Recapturing the democratic potential of social media requires rejecting the "catechism" of market ideology that has come to drive public debates about consumer privacy, industry regulation, and national security (McChesney, 2013, p. 23). Tech leaders and their critics alike are guilty of perpetuating taken-for-granted myths of the free market. In lofty rhetoric touting Facebook's internet.org initiative—a multi-telecomm partnership effort to bolster global internet access—Mark Zuckerberg frames connectivity as a human right (Dredge, 2013). Yet Facebook's plans, and similar ones at Google, neglect the concern that third-world users have about government surveillance, the role of corporate accountability in protecting connectivity rights, and the conspicuous lack of not-for-profit social networking platforms. To spearhead such initiatives reveals not only their aspiration to dominate emerging markets but their acceptance of the myth that a market-based media system is inherently democratic (McChesney, 2013, p. 63). In his otherwise incisive critique of the imbalance wrought by "siren servers" like Facebook, Amazon, and Google, Silicon Valley's most credible insider-critic, Jaron Lanier (2013), capitulates to the same misconception. Rather than rejecting the commodification of private data, Lanier suggests that we extend it by requiring companies to offer nano-payments to individuals whenever the use of their personal data increases revenue streams. This arrangement, he argues, will create a more level playing field of "first-class economic citizens" (p. 248). But such approaches create

a "property interest" in information that tends to undermine collective, rights-based protections for user data (Bodle, 2011, p. 160). Tellingly, Lanier limits his discussion to market-based issues like equitable compensation for user-generated content, leaving issues like military and government surveillance off the table.

As Morozov (2011) argues, popular misconceptions about the nature of technology must likewise be rejected. Whether pro- or anti-corporate, current arguments are driven by myopic ideologies that mistake network-enabled transparency and anonymity as ends in themselves— usually deployed in a partisan and self-serving fashion. Neither the total transparency of public communication to governments (e.g. the Total Information Awareness program in the U.S.) nor the total transparency of corporate and governmental behavior to the public (arguably the goal of some activists) is sustainable, however. Techno-centric ideologies reject prudence in favor of unbridled development, either with the deterministic assumption that its direction and impacts are predictable and beneficial, or the simplistic notion that potential harms can be minimized through consumer choice.[3] Rather than ends, transparency and anonymity are a means toward enhancing the values of freedom, accountability, and trust (Craft and Heim, 2009, p. 219). Judgment is therefore paramount, and the institutions of government and journalism have more—not less—of a role to play in the digital economy.

A commons-based approach, by contrast, argues that a democratic media system must include significant elements that are independent from both the state and corporate institutions (McChesney, 2013, p. 66). Such a framework approaches mass media in terms of public goods— that is, "something society needs, but the market cannot produce it in sufficient quantity or quality" (p. 52). As the Founders demonstrated through their support for postal subsidies, for example, government has an active role to play in the proliferation of such goods. Today, governments may have an obligation to subsidize networks or services that have become a necessity rather than a choice (Drushel, 2011). More importantly, policy makers have an obligation to ensure that the journalistic and news reporting functions of mass media are preserved as a check on corporate and governmental power. As Jarvis (2013) argues, the power of incisive journalism to stem the tide toward secrecy and press powerful institutions to abide by the principle of openness "is all that can restore trust in government and technology companies."

An expansion of what MacKinnon (2012) calls "the digital commons" also requires an articulation of universal principles by which corporations, governments, activists, journalistic organizations, and the public can envision, critically assess, and respond to changes in the digital environment (p. 15). In 2011, for example, the Dynamic Coalition on Internet Rights and Principles published a Charter of Human Rights and Principles for the Internet that outlines ten principles including the rights of accessibility, expression and association, privacy, and security (MacKinnon, 2012, pp. 240–241). Lori Andrews (2013) articulates similar principles in her proposal for a Social Network Constitution (p. 189). MacKinnon (2012) argues that such legal frameworks, in conjunction with innovative structures supporting corporate accountability, may provide a bulwark against coercive data collection strategies and ensure that the emerging digital environment properly represents the "consent of the networked" (p. 250).

If the metaphor of the lively, diverse, and accessible coffeehouse is always a counter-factual ideal, it is one worth pursuing nevertheless. Rather than acquiescence to rhetoric about the ultimate beneficence of technologies or the savvy entrepreneurs who produce them, that pursuit requires a persistent and collective struggle. The ethics of social media cannot be reduced to a questions of personal conduct, but must call into question the very technologies, legal frameworks, and organizational structures that constitute the networked environment within which citizens pursue their personal, social, and political goals. Crucially, that environment is not yet

fully formed; but as its adolescence passes, efforts to reform its character will become increasingly difficult. In articulating the story of coercion, consent, and the struggle for social media, a primary charge of the coming generation of digital natives is thus to aid the formation of a mature social media environment—an ethically responsive and economically sustainable architecture of human flourishing.

NOTES

1. An earlier version of this chapter appears in *Explorations in Media Ecology* (Healey, 2014). This version has been updated to include relevant developments in cited examples, updated bibliographic citations, and minor editorial changes. Permission to re-publish granted by *Explorations in Media Ecology* on July 26, 2019.
2. Facebook, for example, faced boycotts in 2013 for its failure to monitor misogynous content.
3. For example, Kevin Kelly (2010) faults Amish communities for undermining the "optimization of choice" (n.p.).

REFERENCES

Andrejevic, Mark (2009). "Exploiting YouTube: Contradictions of User-generated Labour." In Pelle Snickars and Patrick Vonderau (Eds.), *The YouTube Reader* (pp. 406–423). Stockholm: National Library of Sweden.

Andrews, Lori (2013). *I Know Who You Are and I Saw What You Did: Social Networks and the Death of Privacy*. New York: Free Press.

Beaujon, Andrew (2013, June 24). "Journalists React to Controversial Questions David Gregory Asked Glenn Greenwald." *Poynter*. Retrieved September 5, 2013 from www.poynter.org/latest-news/mediawire/216685/journalists-react-to-controversial-question-david-gregory-asked-glenn-greenwald/

Bensinger, Ken and Andrea Chang (2013, April 20). "Boston Bombings: Social Media Spirals Out of Control." *The Los Angeles Times*. Retrieved September 5, 2013 from http://articles.latimes.com/2013/apr/20/business/la-fi-boston-bombings-media-20130420

Bodle, Robert (2011). "Privacy and Participation in the Cloud: Ethical Implications of Google's Privacy Practices and Public Communications." In Bruce E. Drushel and Kathleen German (Eds.), *The Ethics of Emerging Media: Information, Social Norms, and New Media Technology* (pp. 155–174). New York: Continuum.

boyd, danah m. and Nicole B. Ellison (2007). "Social Network Sites: Definition, History, and Scholarship." *Journal of Computer-Mediated Communication*, 13(1), 210–230.

Bugeja, Michael (2009). "Digital Ethics in Autonomous Systems." In Lee Wilkins and Clifford G. Christians (Eds.), *The Handbook of Mass Media Ethics* (pp. 242–257). New York: Taylor & Francis.

Coleman, Catherine (2013). *Coding Freedom*. Princeton, NJ: Princeton University Press.

Coleman, Gabriella (2012, January 13). "Our Weirdness Is Free." *Triple Canopy*. Issue 15. Retrieved August 29, 2013 from http://canopycanopycanopy.com/15/our_weirdness_is_free

Craft, Stephanie and Kyle Heim (2009). "Transparency in Journalism: Meanings, Merits, and Risks." In Lee Wilkins and Clifford G. Christians (Eds.), *The Handbook of Mass Media Ethics* (pp. 217–228). New York: Taylor & Francis.

Dredge, Stuart (2013, August 21). "Facebook's Internet.org Initiative Aims to Connect 'the Next 5 Billion People'." *The Guardian*. Retrieved September 5, 2013 from www.theguardian.com/technology/2013/aug/21/facebook-mark-zuckerberg-internet-org

Drushel, Bruce E. (2011). "'I'm Here to Tell You It's OK.': The FCC Chairman, Digital TV, and Lying to the Government." In Bruce E. Drushel and Kathleen German (Eds.), *The Ethics of Emerging Media: Information, Social Norms, and New Media Technology* (pp. 119–134). New York: Continuum.

"Edward Snowden: NSA Whistleblower Answers Reader Questions." (2013, June 17). *The Guardian*. Retrieved September 16, 2013 from www.theguardian.com/world/2013/jun/17/edward-snowden-nsa-files-whistleblower

Elliott, Chris (2013). "WikiLeaks and the Public Interest Dilemma: A View from Inside the Media." In Benedetta Brevini, Arne Hintz, and Patrick McCurdy (Eds.), *Beyond WikiLeaks: Implications for the Future of Communications, Journalism and Society* (pp. 78–84). New York: Palgrave MacMillan.

"Facebook and Your Privacy." (2012, June). *Consumer Reports*. Retrieved September 5, 2013 from www.consumerreports.org/cro/magazine/2012/06/facebook-your-privacy/index.htm

Ferenstein, Gregory (2013, April 22). "Google Fined $189k for 'One of the Biggest Data' Privacy Violations in Germany." *TechCrunch*. Retrieved September 5, 2013, from http://techcrunch.com/2013/04/22/google-fined-189k-for-one-of-the-biggest-data-privacy-violations-in-germany/

Frum, David (2012, August 7). "Facebook Needs to Earn Your Trust." *CNN*. Retrieved September 5, 2013 from www.cnn.com/2012/08/06/opinion/frum-facebook/index.html

Greenwald, Glenn (2013, July 13). "About the Reuters Article." *The Guardian*. Retrieved September 5, 2013 from www.theguardian.com/commentisfree/2013/jul/13/reuters-article-dead-man-s-switch

Grossweiler, Paul (2012). "Editorial." *Explorations in Media Ecology*, 11(2), 91–93.

Guynn, Jessica (2013, May 17). "Privacy Watchdog EPIC Files Complaint Against Snapchat with FTC." *The Los Angeles Times*. Retrieved September 5, 2013 from www.latimes.com/business/technology/la-fi-tn-privacy-watchdog-epic-files-complaint-against-snapchat-with-ftc-20130517,0,3618395.story

Hasinoff, Amy (2015). *Sexting Panic: Rethinking Criminalization, Privacy, and Consent*. Urbana, IL: University of Illinois Press.

Healey, Kevin (2010). "The Pastor in the Basement: Discourses of Authenticity in the Networked Public Sphere." *Symbolic Interaction*, 33(4), 527–552.

Healey, Kevin (2013). "You Are Not a Gadget: Prophetic Critique in the Age of Google." In Robert H. Woods, Jr. and Kevin Healey (Eds.), *Prophetic Critique and Popular Media: Theoretical Foundations and Practical Applications* (pp. 171–191). New York: Peter Lang.

Healey, Kevin. (2014). "Coercion, Consent, and the Struggle for Social Media." *Explorations in Media Ecology*, 13(3&4), 195–212.

Hill, Kashmir (2011, November 30). "So, What Are These Privacy Audits That Google and Facebook Have to Do for the Next 20 Years?" *Forbes*. Retrieved September 5, 2013 from www.forbes.com/sites/kashmirhill/2011/11/30/so-what-are-these-privacy-audits-that-google-and-facebook-have-to-do-for-the-next-20-years/

"Is Anybody Down?" (2012, November 16). *On the Media*. Retrieved September 5, 2013 from www.onthemedia.org/2012/nov/16/is-anybody-down/transcript/

Jarvis, Jeff (2013, September 6). *The Guardian*. Retrieved September 10, 2013 from www.theguardian.com/commentisfree/2013/sep/06/nsa-surveillance-welcome-end-secrecy

Kelly, Kevin (2010). *What Technology Wants*. New York: Viking Press.

Lanier, Jaron (2013). *Who Owns the Future?* New York: Simon and Schuster.

Lennard, Natasha (2013, June 11). "The Dangerous Ethics behind Google's Transparency Claims." *Salon*. Retrieved September 5, 2013 from www.salon.com/2013/06/11/the_dangerous_ethics_behind_googles_transparency_claims/

Lovink, Geert and Patrice Riemens (2013). "Twelve Theses on WikiLeaks." In Benedetta Brevini, Arne Hintz, and Patrick McCurdy (Eds.), *Beyond WikiLeaks: Implications for the Future of Communications, Journalism and Society* (pp. 245–253). New York: Palgrave MacMillan.

Lunceford, Brett (2011). "The New Pornographers: Legal and Ethical Considerations of Sexting." In Bruce E. Drushel and Kathleen German (Eds.), *The Ethics of Emerging Media: Information, Social Norms, and New Media Technology* (pp. 99–118). New York: Continuum.

MacKinnon, Rebecca (2012). *Consent of the Networked: The Worldwide Struggle for Internet Freedom*. New York, NY: Basic Books.

Madden, Mary, Amanda Lenhart, Sandra Cortesi, Urs Gasser, Maeve Duggan, Aaron Smith, and Meredith Beaton (2013, May 21). "Teens, Social Media, and Privacy." *Pew Internet & American Life Project*. Retrieved September 5, 2013, from www.pewinternet.org/Reports/2013/Teens-Social-Media-And-Privacy.aspx

Margulis, Stephen T. (2011). "Three Theories of Privacy: An Overview." In Sabine Trepte and Leonard Reinecke (Eds.), *Privacy Online* (pp. 9–17). Berlin and Heidelberg: Springer-Verlag.

McChesney, Robert (2013). *Digital Disconnect: How Capitalism Is Turning the Internet against Democracy*. New York: The New Press.

McChesney, Robert and John Nichols (2011). *The Death and Life of American Journalism*. Philadelphia, PA: Nation Books.

Morozov, Evgeny (2011). *The Net Delusion: The Dark Side of Internet Freedom*. New York: Public Affairs.

Morozov, Evgeny (2013). *To Save Everything, Click Here: The Folly of Technological Solutionism*. New York: Public Affairs.

Nissenbaum, Helen (2011). "A Contextual Approach to Privacy Online." *Dædalus, the Journal of the American Academy of Arts & Sciences*, 140(4), 32–48.

Solove, Daniel J. (2004). *Digital Person: Technology and Privacy in the Information Age*. New York: New York University Press.

Sprenger, Polly (1999, January 26). "Sun on Privacy: 'Get Over It'." *Wired*. Retrieved August 30, 2013, from www.wired.com/politics/law/news/1999/01/17538

Standage, Tom (2013, June 22). "Social Networking in the 1600s." *New York Times*. Retrieved August 29, 2013 from http://mobile.nytimes.com/2013/06/23/opinion/sunday/social-networking-in-the-1600s.html

Streitfeld, David (2013, May 6). "Google Glass Picks Up Early Signal: Keep Out." *New York Times*. Retrieved August 30, 2013 from http://mobile.nytimes.com/2013/05/07/technology/personaltech/google-glass-picks-up-early-signal-keep-out.html

Swash, Rosie (2013, April 15). "Is Hacktivism on Behalf of Rehtaeh Parsons a Revolution in Rape Campaigning?" *The Guardian*. Retrieved September 5, 2013 from www.theguardian.com/lifeandstyle/2013/apr/15/hacktivism-rehtaeh-parsons-rape

Topping, Alexandra and Ellen Coyne (2013, August 7). "Hannah Smith Suicide: MPs Call for Education in Social Media Awareness." *The Guardian*. Retrieved September 5, 2013 from www.theguardian.com/society/2013/aug/07/hannah-smith-suicide-cyberbullying-ask-fm-twitter

Trepte, Sabine and Leonard Reinecke (2011). "The Social Web as a Shelter for Privacy and Authentic Living." In Sabine Trepte and Leonard Reinecke (Eds.), *Privacy Online* (pp. 61–73). Berlin and Heidelberg: Springer-Verlag.

Vaidhyanathan, Siva (2011). *The Googlization of Everything (and Why We Should Worry)*. Berkeley, CA: University of California Press.

Ward, Stephen J. A. and Herman Wasserman (2010). "Towards an Open Ethics: Implications of New Media Platforms for Global Ethics Discourse." *Journal of Mass Media Ethics*, 25(4), 275–292.

Wertheimer, Linda and Dina Temple-Raston (2013, June 7). "Intelligence Community Mines Phone Records, Internet Data." *Morning Edition*. Retrieved September 5, 2013 from www.npr.org/2013/06/07/189430578/intelligence-community-interested-in-phone-records-internet-data

Williams, Bruce and Michael X. Delli Carpini (2009). "The Eroding Boundaries between News and Entertainment and What They Mean for Democratic Politics." In Lee Wilkins and Clifford G. Christians (Eds.), *The Handbook of Mass Media Ethics* (pp. 177–188). New York: Taylor & Francis.

23

Digital Ethics in Autonomous Systems

Michael Bugeja

Autonomy is the very condition of technological development.

Jacques Ellul (2003, p. 386)

In the future, communities formed by ideas will be as strong as those formed by the forces of physical proximity.

Nicholas Negroponte (1998)

What happens to the public trust when U.S. democracy's most indispensable element—an independent, community-based press—merges with an amoral autonomous system whose features may obliterate or obfuscate space, culture, and time? That question was first posed here in 2007, prophesying that the whole of digital ethics was at stake in the practice of journalism as Fourth Estate, or watchdog over government and other privileged or powerful social entities.

This chapter revisits what has occurred in the interim, focusing on journalism's social role while evaluating the literature, methods, challenges, and conclusions of universality in virtual and physical domains. In doing so, ethical theory continues to play a leading role in defining the moral fabric of the future. If technology is, in actuality, an autonomous system that functions without regard to space, culture and time, then how do universal values—whose definition, as we shall learn, often relies on those dimensions—penetrate the web to safeguard time-honored standards upon which the Fourth Estate is based? Conversely, if universal values do apply in virtual, asynchronous realms, what are we to make of ethical theory that postulates the autonomy and amorality of technology?

Answers are far-reaching. In 2005, a mere 7 percent of adult Americans used social media; in one decade, that statistic rose to 65 percent (Perrin, 2015). A more recent report showed the average American spent some 11 hours per day "connected to linear and digital media across all devices and platforms" (Marvin, 2018). In as much as the average American sleeps 6.8 hours per night (Jones, 2013), that means 74 percent of waking hours are spent looking at screens. In 2006, one in three Americans got news from online sources (The Pew Research Centre, 2006); by 2018, two in every three (68 percent) got news from social media (Shearer & Matsa, 2018). From 2008 to 2017, newsroom employment in the United States dropped by 23 percent, from 114,000 to 88,000 reporters, editors, photographers, and videographers (Grieco, 2018). Although

untold variables exist in each statistical category, one obvious correlation emerges: newsroom employment plummeted 23 percent as social media use skyrocketed from 7 to 65 percent with Americans spending 74 percent of waking hours looking at screens.

Since its inception, the news media have been grounded in physical proximity by distribution area and public airway. Historically they have existed apart from the niche outlets of magazines and entertainment programming targeting subscribers, listeners, viewers, or clientele via the demographics and psychographics of consumer profiling. The sharper the profiling, the stronger the brand. The stronger the brand, the greater the revenue. According to David Miller, writing in the March 2006 issue of *Ideas: The Magazine of Newspaper Marketing*, the objective of newspaper branding is "to create a differentiating and durable strategic position of relevant value. Whether it is real or perceived, the idea is that it would be difficult for your competitors to replicate it" (p. 10). Replicating news that happens in real space, culture, and time is the objective of objective journalism. Traditionally, the only real variants in spot news and beat reporting—terms associated with physical proximity, by the way—are the scope, breadth, and depth of fact compilation and presentation. When airliners crash into buildings, the public requires event replication in print and on air from as many sources as possible to comprehend the accurate dimensions of the tragedy. Newspaper branding often overlooks this fundamental criterion of a free press as social steward. According to Miller (2006), consumer branding is essential if newspapers are to meet the demands of the internet age (pp. 9–10). He argues that newspapers have not enjoyed much success making the transformation because of several factors, including the capital investment in presses and trucks (p. 10)—symbols of physical proximity. Add to the discussion of space the brick and mortar buildings that had to be sold or abandoned during the decline of print journalism in the past decade. Buildings are powerful symbols of physical place. Contemplating relational space, journalists may ruminate about expansive newsrooms of yore, settling into smaller environs that trigger "notions of decline and detachment" (Usher, 2015, p. 1020).

In a telling remark indirectly associated with media ethics, David Miller states:

> Stewardship of the public trust remains central to the identity of most newsrooms. But perhaps newspapers are now structured on promises of value, such as independence and objectivity, which fail to substantially exist in the minds of consumers. Even if it were a perception that could be re-kindled, how much additional purchase intent would it generate?
>
> (2006, p. 12)

More than a decade later, David Miller's statements about branding the news proved tragically prescient.

Newspapers, in particular, have failed to create unique identities in an era of "fake news," popularized after more than a hundred bogus news websites supporting then presidential candidate Donald J. Trump were discovered in the former Yugoslav Republic of Macedonia (Silverman & Alexander, 2016). Trump usurped the "fake news" moniker and applied it to respected news organizations, including the *New York Times*. In 2019 the *Times*, whose 1897 slogan—"All the News That's Fit to Print"—still remains on its masthead, noted that Trump takes credit for branding all of journalism "fake news." In an Oval Office interview, the president stated:

> I do notice that people are declaring more and more fake news, where they go, 'Fake news!' I even see it in other countries. … I think I can attribute the term to me. I think I was the one that started using it, I would say.
>
> (Grynbaum, 2019)

The state of newspaper branding had become so dire by 2017 that the newspaper flagship magazine *Editor & Publisher* published an illustration of an empty urban billboard with a slogan titled "Your Message Here." The *E&P* article proclaimed that newspaper media companies "continue to have a brand crisis on their hands and seem to either be oblivious to the problem or lack the will to do something about it" (Provost, 2017). The piece also noted that the media continues to cover its own industry by chronicling "newspaper layoffs, circulation declines, ownership changes and financial woes."

News grounded in space, culture, and time with ethical values of independence and objectivity continues to ensure the public trust. Many Americans do not want to pay for that, willing to read inaccurate reports because those are free and convenient via social media, even though a majority (57 percent state they expect the news they see there to be "largely inaccurate" Shearer & Matsa, 2018). Those data are in stark contrast to Jefferson's famous axiom—that he would prefer newspapers without government providing people could read and those newspapers could be delivered (1787). The reference to reading echoes the sentiment of the first U.S. Supreme Court Chief Justice John Jay who stated in a March 24, 1785 letter to Dickinson College founder and signer of the Declaration of Independence Benjamin Rush:

> I consider knowledge to be the soul of a republic, and as the weak and the wicked are generally in alliance, as much care should be taken to diminish the number of the former as of the latter. Education is the way to do this, and nothing should be left undone to afford all ranks of people the means of obtaining a proper degree of it at a cheap and easy rate.
>
> (Jay, 1890–93)

The Jefferson and Jay citations about journalism and education define the role of both in informing citizens of a republic so that they can make intelligent choices in the voting booth. That remains at the heart of public education and liberty in the United States. Moreover, an informed, educated populace fulfills both deontological and utilitarian visions, defining civic duty as well as providing the greatest good for the greatest number. This chapter investigates whether those outcomes are altered online as media and social media corporations focus increasingly on revenue rather than stewardship, datamining users in the age of analytics so as to vend content, products, and services that appeal to individual affinity groups.

Our brightest journalism minds continue to debate the facts, values, principles, and loyalties of stewardship. However, when addressing them in technological environs, they often confront "the paralyzing complexity of the internet" that raises "a new ensemble of ethical and legal challenges for which journalism does not yet have a nuanced understanding or even a full vocabulary" (Challenger & Friend, 2001, pp. 258, 267). That citation, published almost two decades ago, continues to reverberate even as journalism tried and largely failed to incorporate various digital systems and approaches in newsrooms. Many felt the emphasis on "local, local, local" would save both print and digital newspapers. That did not happen. What did happen over time with increasing popularity of internet and social media was the creation of "news deserts," or the absence of local journalism in many U.S. communities. That study, titled "Assessing Local Journalism: News Deserts, Journalism Divides, and the Determinants of the Robustness of Local News," analyzed a random sample of 100 U.S. communities with populations ranging from 20,000 to 300,000 residents (Napoli, Weber, McCollough, & Wang, 2018). The authors then identified an inventory of local media outlets. Results were published in August 2018 by Duke University's DeWitt Wallace Center for Media & Democracy.

The study found significant "economic challenges confronting local journalism," with traditional revenue streams of subscriptions and advertising "dramatically undermined as journalism

production, distribution, and consumption have migrated online" (Napoli et al., 2018, p. 3). Findings were sobering:

- Eight communities contained no stories addressing critical information needs.
- Twelve communities contained no original news stories.
- Twenty communities contained no local news stories.
- Only about 17 percent of the news stories provided to a community are truly local—that is actually about or having taken place within—the municipality.
- Less than half (43 percent) of the news stories provided to a community by local media outlets are original (i.e., are produced by the local media outlet).
- Just over half (56 percent) of the news stories provided to a community by local media outlets address a critical information need.

(Napoli et al., 2018, p. 3)

An unrelated study documented the cumulative impact of news deserts. In 2006, U.S. newspapers had a circulation of 52 million, selling $49 billion in ads and employing 74,000; however, by 2017, ad revenues dropped to $16.5 billion and employment to 39,000, with content disseminated to 31 million (Darr, Hitt, & Dunaway, 2019). Researchers found that communities lacking adequate local news turned more to national news focusing on polarization and conflict:

> Americans have frequently voted for different parties in state and national elections in the past. But split-ticket voting declined in recent years as politicians and the electorate became more polarized. In 1992, for example, voters in more than one-third of the states holding Senate elections elected a senator from a different party than they voted for in the presidential election. In 2016, there were no states in which voters did this, and more voters cast straight party-line ballots than at any point in the past century.
>
> (Darr et al., 2019)

News deserts play a role in polarization; social media fills the void and deepens that effect. As viewers turn increasingly to the internet for news, many users became more partisan, especially in politics. A relevant study, titled "Political Polarization on Twitter," analyzed competing social media theories: the "echo chambers" view of niche-content fostering "greater political polarization" and the "crosscutting interactions" view, focusing on the openness of social media, "with different opinions just a click away" (Hong & Kim, 2016, p. 777). This empirical analysis evaluated the correlation between political ideologies and social media activities of members of the 111th House of Representatives, ultimately affirming the "echo chambers" view and rejecting the "crosscutting interactions" view; it concluded that politicians with extreme ideological positions tend to have more Twitter followers (Hong & Kim, 2016, p. 782). The authors also caution, however, that a variable might be that traditional national media tend to devote more coverage to politicians with ideologically extreme views (p. 781). That observation indirectly affirms the news desert study mentioned earlier about national news focusing on polarization and conflict.

This is but one effect of the internet on journalism ethics. Conflict and proximity are long-standing news values (Mencher, 2011, pp. 57–62). However, as we shall see, loss of proximity is a distinct technological effect. The French-Maltese philosopher Jacques Ellul (1912–1994) noted that the nature of technology neither endures "any moral judgment" nor tolerates "any insertion of morality" in the technician's work (2003, p. 394). Might he then contend that ethical principles metamorphose in amoral autonomouspheres? If so, the medium is not the message, but the moral.

Conversely, technology advocates such as Nicholas Negroponte, co-founder and director of the Massachusetts Institute of Technology Media Lab, believe that the "medium is not the message in a digital world" but "an embodiment of it" (1995, p. 71) through which text messaging (variant of the telegraph); telephone; still and moving images; animation; sound recordings; books; radio and television; film; animation; and print—each of which altered culture historically according to McLuhanesque theory—converge. In that converged autonomousphere, we indirectly affirm Negroponte's claim of "mediumlessness," to be discussed momentarily. Thus, if the internet obliterates time and physical place, does omnipresent access to the internet also obfuscate culture or even undermine universal principles like dignity, truth-telling, and non-violence? This exploratory analysis revisits and updates assertions from the earlier version of this chapter and addresses these concerns as well as other nuanced effects of digital ethics in autonomous systems.

UNIVERSAL REVIEWS: AN ELLULIAN OR NEGROPONEAN FUTURE?

One of the most prescient works about the morality of autonomous systems was Neil Postman's *Amusing Ourselves to Death* (1985), which opens with a comparison of the Orwellian vs. Huxleyan technological world orders. Although Postman was discussing broadcast technology, he upholds the Ellulian perspective in embracing Huxley's vision in which no technologically omnipotent Big Brother deprives people of their morality and cultural history because "people will come to love their oppression, to adore the technologies that undo their capacities to think" (p. viii). Postman predicts an autonomous system that would not ban democratizing information but provide so much trivializing data that "truth would be drowned in a sea of irrelevance" (p. viii).

Nicholas Negroponte overlooked that outcome. "[W]e are now in a digital age," he wrote in 1998, "to whatever degree our culture, infrastructure, and economy (in that order) allow us." In his final column in *Wired*, Negroponte (1998) forecast an optimistic future transforming space, culture, and time: Digitized ideas would be as powerful as those formed by physical proximity; local governance would abound in a virtual global environment rendering territory meaningless; and we would lead asynchronous lives during which prime time would be "my time" in pajamas.

Negroponte's most famous work, *Being Digital* (1995), is still worth evaluating today in as much as it foreshadowed the virtual world in which most of us, especially in journalism and journalism education, dwell for most of our digital day. Before exploring this world theoretically, and investigating technology's impact on universal principles, it behooves us to state how space, culture, and time may be obliterated and/or obfuscated by computing technologies, quoting Negroponte (1995) in both subheads and text:

- *Place Without Space*: "[T]he post-information age will remove the limitations of geography. Digital living will include less and less dependence upon being in a specific place at a specific time, and the transmission of place itself will start to become possible" (p. 165).
- *Being Asynchronous*: "A face-to-face or telephone conversation is real time and synchronous" while email is not. "… The advantage is less about voice and more about off-line processing and time shifting" (p. 167).
- *Mediumlessness*: "Thinking about multimedia needs to include ideas about the fluid movement from one medium to the next. "… [M]ultimedia involves translating one dimension (time) into another dimension (space)" (p. 72, 73).

Place without space and being asynchronous are self-explanatory; but mediumlessness requires theoretical grounding as it relates to culture. McLuhan, of course, is the standard here in his most important work, "*Understanding Media: The Extensions of Man*," in which the word "culture" is the third word of his opening paragraph:

> In a culture like ours, long accustomed to splitting and dividing all things as a means of control, it is sometimes a bit of a shock to be reminded that, in operational and practical fact, the medium is the message. That is merely to say that the personal and social consequences of any medium— that is, of any extension of ourselves—result from the new scale that is introduced into our affairs by each extension of ourselves, or by any new technology.
>
> (2002, p. 7)

In other words, culture adapts to the autonomous system of technology, which is why we continue to see passersby ignoring others and seemingly speaking to themselves using cell phones in the digital street. This effect went unforeseen by our some of most astute social activists, chief among them, Parker J. Palmer. He wrote about the universality of place in 1981 in *The Company of Strangers*, calling the street our most public place, for there we meet strangers with whom we interact, even when nobody speaks, in as much as people send a message through the channel of their bodies in real place, acknowledging that "we occupy the same territory, belong to the same human community" (p. 39). Within a few years of their introduction to society, cell phones altered our ancient human bond: No longer did we belong together in community; instead, we belonged to a rate plan offering roll-over minutes and ring-tones. How did this happen under the radar of our conscience, coloring how we view the world and each other?

As Postman (1993) explains, "embedded in every tool is an ideological bias, a predisposition to construct the world as one thing rather than another, to value one thing over another, to amplify one sense or skill or attitude more loudly than another," hence altering culture (p. 13). Cell phone users altered the interpersonal culture of community, elevating the value of people and places *somewhere else* over those in physical proximity (Bugeja, July 30, 2004). Media history records how each device—from the telegraph and telephone in the nineteenth century to the radio and television of the twentieth century—not only changed culture but also how journalists covered it. Hence, the "mediumlessness" of multimedia's streaming text, images, sound, video, animation, and interaction may homogenize culture in addition to splitting rather than extending human senses (as well as consciousness).[1] Ironically, Negroponte states this in his futuristic proclamation: "In the next millennium, we will find that we are talking as much or more with machines than we are with humans" (1995, p. 145).

Ellul (2003) would be horrified by that pronouncement. He predicted different outcomes on the theory that autonomous technological systems often neglect primary human needs, especially conscientious ones involving unifying principles by which to gauge and govern our thoughts, words, and deeds. He saw technology as an inhuman, self-determining organism ("an end in itself") whose autonomy transformed centuries' old systems "while being scarcely modified in its own features" (p. 386). Ellul did not live long enough to witness completely the digital era's impact on the news industry, although his theories presaged technology's impact on culture, especially on the economy:

> Like political authority, an economic system that challenges the technological imperative is doomed. It is not economic law that imposes itself on the technological phenomenon; it is the law of technology which orders and ordains, orients and modifies the economy. Economics is a necessary agent. It is neither the determining factor nor the principle of orientation. Technology obeys its own determination, it realizes itself.
>
> (Ellul, 2003, p. 392)

In other words, apply technology to the economy, and the economy henceforth is about technology (think NASDAQ). Apply it to politics, and politics henceforth is about technology (think Kennedy-Nixon debates). Apply it to education, and education henceforth is about technology (think Sesame Street). Apply it to journalism, and journalism henceforth is about technology (think convergence). Moreover, because technology is autonomous and independent of everything, *it cannot be blamed for anything.*

Ellul, perhaps more than any other philosopher, associated technology's outcomes with moral principles. He theorized that technology does not advance the moral ideal nor endure moral judgment (2003, p. 394). As such, he argued, technology cannot be halted for a moral reason. Situational ethics, long associated with the practice of journalism, is just one more technological effect, "quite convenient for putting up with anything" (2003, p. 395). If morality is constantly redefined to augment the latest technological feature, then it has effectively negated the existence of universals.

This is evident in the ethics of social networks, which have effectively redefined friendship for the emerging generation. In the earlier version of this chapter, MySpace outdistanced a new social medium gaining popularity: Facebook. In 2006, MySpace was billed for a time as the most visited internet site, claiming 4.46 percent of all internet visits (Hitwise, July 11, 2006). Mobile social networks, initially labeled "MoSoSos," were associated with location, using global positioning system technologies to alert users via cell phone, laptop, or other portable device when someone from their "affinity groups" were in their physical space. According to *Wired News* at the time, MoSoSos "are ideal for hooking up young, active professionals tied to their mobile phones or laptops, and they're starting to take off" (March 8, 2005). Facebook at first also was associated with physical space, namely universities, linking virtual with real place. The emerging social medium spread quickly throughout academe, as a new conflict arose between virtual and real place: namely use of Facebook during university lectures. One of the first reports to warn about the issue was "Facing the Facebook," published in early 2006, noting that Iowa State University registered 20,247 users out of a total enrollment of 25,741, with hardly any professor or administrator aware of its addictive nature:

> On many levels, Facebook is fascinating—an interactive, image-laden directory featuring groups that share lifestyles or attitudes. Many students find it addictive, as evidenced by discussion groups with names like "Addicted to the Facebook," which boasts 330 members at Iowa State. Nationwide, Facebook tallies 250 million hits every day and ranks ninth in overall traffic on the Internet.
>
> (Bugeja, January 23, 2006)

To this day, Facebook is a benchmark of social media saturation. No longer associated with residential campuses, its monthly user rate accelerated over the years. In January 2006, the platform had 5.5 million users; in September 2012, it surpassed 1 billion users; and by 2018, boasted 2.01 billion users, or 22 percent of the world's population (Donnelly, 2018).

Rather than relying on principles such as justice or fairness, which have defined friendships in community since Aristotle, social network "influencers" market themselves like products in virtual or physical space. The McLuhan aphorism, *All advertising advertises advertising*, now applies to how we see ourselves and others through the social norm of "egocasting." In the early days of MySpace, Christine Rosen conceived the term "egocasting" in her continuing studies of technology's effect on human relationships. In her watershed essay, "The Age of Egocasting," Rosen notes how the most powerful of new technologies "encourage not the cultivation of taste, but the numbing repetition of fetish. And they contribute to what might be called 'egocasting,' the thoroughly personalized and extremely narrow pursuit of one's personal taste" (2005).

Rosen, founding editor of *The New Atlantis* and former resident fellow at the Ethics and Public Policy Center, notes that it is no surprise that users of social networks "have a tendency to describe themselves like products and to develop their own vocabulary to describe the pseudo-relationships such networks foster" (personal correspondence, November 11, 2005). She states that users often speak about *friending* rather than building *friendships*. Digital-based friendships appeal to the ego rather than the conscience, she says,

> with the number of successful targets listed on their pages as evidence of any given person's appeal. This is a more acquisitive practice—collecting friends like consumer goods–rather than the older understanding of building friendships gradually, over time, and with the assumption of lasting mutual obligations. On the Internet, everything can be had on demand; why not friends? Such an attitude has long-term consequences for the younger generation's understanding of relationships. It is ironic that the technologies we embrace and praise for the degree of control they give us individually also give marketers and advertisers the most direct window into our psyche and buying habits they've ever had.
>
> (personal correspondence, November 11, 2005)

Contemplating friendship, Rosen like Aristotle focuses on the justice of enduring mutual obligations. Friendship is a social *contract*, not a social contact among fellow online voyagers that can be added or deleted on demand with a mere click of the keys. In *The Nicomachean Ethics* as translated by David Ross (1998), friends possess "common property" evaluated by the level of truthfulness in real space and time, "for friendship depends on community" (p. 207). Aristotle evaluates friendship in space, culture and time, using the term "fellow voyagers" literally and linearly in association with the social contract. "We may see even in our travels," he writes, "how near and dear every man is to every other. Friendship seems too to hold states together …" (p. 192). Gestures of friends in the public street are universal, Aristotle observes, even when we are unfamiliar with the country and its customs. According to him, such friendship is especially prized by lawgivers because it expels faction, unifies society, and becomes "the truest form of justice" (p. 193). In fact, the greater the friendship, the more intense the demands of justice, especially truth, which also endures across space, culture, and time. While it is true that friendship, in and of itself, may have little to do with the practice of journalism, the principles that define friendship—justice, responsibility, truth, and trust—relate directly to digital ethics, the public trust, and the question at hand: whether universals metamorphose in autonomous systems that may obliterate or obfuscate physical dimensions. In discussing universal principles, Deni Elliott uses a crystalline metaphor:

> Viewed from a wide angle, the world's communities and subcommunities appear to be an array of values, a colorful moral kaleidoscope. But these dissimilarities among values, as striking as they are, mask the similarity behind the "colors"—the species-specific "crystals" that create discernible and consistent patterns amid the array of value-colors. The argument for universal values, like moral development theories, builds on the notion of similarities among human behavior that stretch across space, culture, and time.
>
> (1997, p. 68)

In arguing for universal values, Elliott's yardsticks are space, culture, and time, without which one cannot discern human behavioral similarities. They both stretch across and are grounded in physical realities rather than in asynchronous, acultural, virtual dimensions. Moreover, her conclusion about the social nature of the human being—"namely the need for being-in-community" (Elliott, 1997, p. 80)—adds another moral measurement by which we can gauge whether principles metamorphose or remain intact in autonomous technological systems: "Moral reasoning

and consciousness are not, primarily, about our individual selves but about judgments on actions, or intended actions, regarding others. The socialization of the moral being takes place in the individual's relationships with others" (p. 80). Thus, a measurement of the applicability of universals is to ask whether online content is about others (associated with community) or ourselves (associated with marketing).

In this, technology gives up the ethical ghost. The means by which technology obliterates space and time and obfuscates culture are encyclopedic and grist for theories. But its nature, as that of the scorpion, is stingingly obvious. "What has the essence of technology to do with revealing?" questions Heidegger: "The answer: everything" (2003, p. 255). What current communication technology reveals, along with the practice of journalism in the digital age, often appears to be a singular objective: revenue generation.

In the early 1980s, 50 major communication companies controlled most of the media. By 2003, Ben H. Bagdikian writes in *The New Media Monopoly*, that number reduced to five: Time Warner, Disney, Murdoch's News Corporation, Viacom, and Bertelsmann (p. 27).

> Today, none of the leading media companies bother with dominance merely in a single medium. Their strategy has been to have major holdings in all the media, from newspapers to movie studios. This gives each of the five corporations and their leaders more communications power than was exercised by any despot or dictatorship in history.
>
> (p. 3)

By 2018, the top media corporation was AT&T with $41.7 billion in revenues through its 2015 acquisition of DirectTV's satellite network and 2018 acquisition of Time Warner along with these properties:

- Networks, such as Turner broadcasting, HBO and CNN.
- Filmed Entertainment, including movies and video games.
- Publishing, including various websites.

(Seth, 2018)

Missing from top media companies are technology ecosystems that disseminate much of the news and related content, including Apple, with a market value of $995.50 billion; Samsung, $765.26 billion; Microsoft, $855.4 billion; Alphabet (Google), $756.85 billion; Intel, $220.33 billion; IBM, $112.47 billion; and Facebook, $434.66 billion (Parietti, 2018). Back to Bagdikian: He prophesied enormous monetary revenues as media corporations diversified via technology, resulting in an emphasis on fiduciary responsibility rather than social responsibility.

In his aptly named book, *Knightfall: Knight Ridder and How the Erosion of Newspaper Journalism is Putting Democracy at Risk*, Davis Merritt (2005) discussed how the focus on profit has compromised the news industry's social mission, including its commitment to the universal principle of social responsibility, thereby jeopardizing U.S. democracy. According to Merritt, "The question is whether newspaper journalism can be successfully migrated to new technologies—the Internet or whatever might succeed it—before it becomes extinct, suffocated like the dinosaurs by the impact of the twenty-first century giant meteor labeled greed" (2005, p. 1). That prediction also was prescient. According to the State of the News Media, 2018, newspapers were "hit hard as more and more Americans consume news digitally" (Pew Research Center). The report notes that the industry's financial and subscriber bases "have been in decline since the early 2000s, even as website audience traffic has grown for many" with total U.S. daily

newspaper circulation (print and digital) "at 31 million for weekday and 34 million for Sunday, down 11 percent and 10 percent, respectively, from the previous year." Merritt's observation about inherent risk to U.S. democracy also was borne out. As far as audience goes, the combined newspaper audience's circulation is miniscule compared to Facebook's 1.62 billion active daily users (Noyes, 2020).

But audience is only one measure of technology's impact on democracy, in light of the Facebook scandal that played a role in the 2016 presidential election of Donald J. Trump. The scandal involved a British political consulting firm, Cambridge Analytica, which harvested data of 87 million Facebook users in a survey titled "This is Your Digital Life." While each user's survey results were personal, the collective Facebook information metamorphosed into an autonomous big data user-bank that could influence election outcomes. In 2018, *Forbes* described the process. Cambridge Analytica developed personality profiles based on emotional reactions to specific words and phrases, flooding the internet with cherry-picked slogans that influence voting via affirmation rather than information. This was a technological turning point in the history of autonomous systems. As technology writer Court Stroud described it,

> Looking back years later, the Cambridge Analytica scandal will be seen as the time when everything changed as to how consumer data is collected and used, by whom and to what ends. It will be seen as the time when the trust relationship between consumers and internet giants like Facebook and Google was forever broken, when the romance with all things Silicon Valley was finally over, and when those giants became just like other corporate giants, abided, not to be trusted.
>
> (April 4, 2018)

In reviewing the Ellulian vs. Negropontean worlds, one might conclude that, at the least, the autonomy of technological systems is an unfriendly host to universal principles, primarily because marketing addresses the ego rather than the conscience. Technological systems reflect the intentions of their interfaces, reducing human nature to the demographics and psychographics of marketing through which we increasingly focus on ourselves, rather than on others. As Ben H. Bagdikian observes in *The New Media Monopoly*, the collective ego is fed daily by commercials targeting users through their own interactive technologies describing "with some precision [their] income, education, occupation, and spending habits" (2004, p. 230). The focus, then, is not on duty, happiness, or the common good but on the ego's appetites, to which marketing appeals. Moreover, the ego is its own micro autonomous system which, like technology, neither endures nor tolerates moral judgment. The marriage of ego and technology in a milieu that blurs space, culture, and time seemingly underwrites profit as much as principles.

What, precisely, are those principles and how might they be applied in the digital era? What role, if any, do journalists have in ensuring that they do? How can media ethicists assist in all of those endeavors?

UNIVERSAL METHODS: THE DIMENSIONS OF PRINCIPLES

In a 2006 keynote address at the International Communication Association, sociologist and author Manuel Castells waxed philosophic about the millions of blogs worldwide accounting for an explosion of "I" mass media across cultures. In the question and answer session, Castells was asked:

> For centuries in Occidental culture there has been a philosophical debate, entirely conjectural, that universal principles exist or do not exist. We now have some empirical evidence to answer

this question. Given the expanse of the blogosphere across cultures, are there any philosophical patterns that qualify now as universal, from Jeremy Bentham's happiness principle to Immanuel Kant's duty principle to John Locke's natural law?[2]

After some reflection, Castells answered affirmatively: "The longing for freedom."

That longing in and of itself is not a universal principle but the desire for one. Nevertheless, freedom is associated with human nature and need, secular and religious. It also rises to the sacred through the notion of free will. Indeed, in her treatise on universal values and moral development, Deni Elliott references a 1965 survey of representative samples of adult populations from 13 countries and concomitant cultures out of which these uniformities were compiled (Handley Cantril, as cited in Elliott, 1997, p. 71):

1. Satisfaction of survival needs
2. Physical and psychological security
3. Sufficient order and certainty to allow for predictability
4. Pleasure: both physical and psychological excitement and enjoyment
5. Freedom to act on ideas and plans for improvement of self and context
6. Freedom to make choices
7. Freedom to act on choices
8. Personal identity and integrity; a sense of dignity
9. Feeling of worthwhileness
10. A system of beliefs to which they can commit themselves
11. Trust in the system on which they depend.

The term "freedom" appears in three of the 11 across cultural needs [Nos. 4–7]. Assigning universal precepts to the others is a rhetorical rather than ethical exercise. However, with that disclaimer, one can discern these universal principles from the above list: the sanctity of life [Nos. 1, 2], justice/fairness [3], pleasure/happiness [4, 9], responsibility/duty [10], integrity/dignity [8], trust [11].

Philosopher Christina Hoff Sommers (September 12, 1993) substitutes the term "moral absolutes" for Cantril's "uniformities," noting that these behaviors are clearly right or wrong and not subject to serious debate in any culture:

1. It is wrong to mistreat a child.
2. It is wrong to humiliate someone.
3. It is wrong to torment an animal.
4. It is wrong to think only of yourself.
5. It is wrong to steal, to lie, to break promises.
6. It is right to be considerate and respectful of others.
7. It is right to be charitable and generous.

(p. 16)

Explicating those tenets, one can assign to "sanctity of life" Nos. 1–3, with these other universals rounding out the remaining list: responsibility/duty [4], truth/trust [5], respect [6], and generosity [7].

Thus, we can compile from these lists a lexicon of universals: dignity, duty, fairness, freedom, generosity, happiness, integrity, justice, pleasure, respect, responsibility, sanctity of life, truth, and trust. We might further elevate these universal tenets of human nature to the status of

"protonorm" as much a part of the genetic code as an ethics code. The sacredness of life as a protonorm was articulated by Clifford Christians (1997, pp. 6–8) who identified three categories into which the above universals easily fall:

- *Human dignity*: dignity, duty, fairness, freedom, integrity, justice, responsibility, trust.
- *Truth-telling:* truth.
- *Nonviolence:* generosity, happiness, pleasure, respect, sanctity of life.

According to Christians, "The primal sacredness of life is a protonorm that binds humans into a common oneness. And in our systematic reflection on this primordial generality, we recognize that it entails such basic ethical principles as human dignity, truth, and nonviolence" (1997, pp. 12–13). Christians concludes that a commitment to universals, grounded ontologically, not only is pluralistic but simplistic conceptually, easily related to the practice of journalism:

> The only question is whether our values affirm the human good or not. As our philosophies of life and beliefs are lobbied within the public sphere, we have a responsibility to make public the course we favor and to demonstrate in what manner it advances our common citizenship.
>
> (1997, p. 18)

Again, however, even in Christians as in Deni Elliott, we confront the central issue on which this chapter is based: Do universals, or even protonorms, metamorphose or remain intact when transported to virtual realms that obliterate or obfuscate space, culture, and time? The whole of Christians' persuasive argument about the common oneness of humans is based on "reverence for life on earth, for the organic whole, for the *physical realm* [emphasis added] in which human civilization is situated" (1997, p. 7).

In as much as human civilization is merely reflected in (with varying degrees of truth) but not situated in the virtual realm where humans "dwell" for most of their digital day, how, if at all, do communication technologies affirm good, condemn evil, and advance our common citizenship—tenets articulated in the Society of Professional Journalists' code of ethics, which uphold these ideals?[3]

Heidegger's concept of technology's nature—that of revealing—offers scant evidence that universal ideals are upheld in the global online village. All one has to do is factor the top popular activities of internet users: using email, 90.8 percent; texting, 90.2 percent; social networking, 74.4 percent; watching videos, 69.5 percent; shopping/making reservations, 68.5 percent; accessing financial services, 65.9 percent; streaming content, 52.6 percent; video calling, 46.6 percent; working remotely, 22.6 percent; job searching, 20.8 percent; online training, 19.1 percent; and interacting with household equipment, 11 percent (Clement, 2017). In 2018, for the first time, more people got news from social media (20 percent) than from print newspapers (16 percent), according to the Pew Research Center, which attributed the outcome to "years of steady declines in newspaper circulation" with the majority reading print (39 percent) age 65 or older (Shearer, 2018). These statistics are sobering, not only concerning fact-based news, essential in a democracy, but also about an informed public making intelligent decisions in the voting booth.

Diversity, human rights, security and openness (freedom) may qualify as universals philosophically but not technologically. Online content cannot be controlled by ethics or even politics in light of the 2016 Cambridge Analytical scandal. Ellul prophesied as much when assessing ethics in autonomous systems. Evaluating his theories, Robert C. Scharff and V. Dusek write that human hubris assumes that we can control technology when, in fact, we ourselves are simultaneously blind and beholden to its autonomous systems: Typically, they state, it is characteristic

for technology advocates to overestimate their own skills at controlling content that negatively affects society:

> Scientists and engineers display embarrassing naïveté and shallowness in dealing with the social impact of technology. Politicians are driven by ideological assumptions rather than knowledge in their efforts to direct or regulate technical practices. And ordinary citizens and consumers are seriously uninformed about both the technical practices and social realities that dominate every-day life.
>
> (Scharff & Dusek, 2003, p. 383)

Technology, said to be efficient and convenient, has lived up to that billing in many ways in the newsroom and broadcast booth as well as in the consumer's household and workplace. What is efficient or convenient is not necessarily moral, however; and the average user may be blind to that effect. Indeed, Ellul theorizes that technological systems inevitably entrance all involved, often viewed as a creative force that displaces traditional morality, "which is now regarded as merely something lingering 'inside' our minds" (Scharff & Dusek, 2003, p. 383). That effect is revealed in the current day with data about usage of the aforementioned most accessed online content, challenging even Heiddegger's hope of formulating a free relationship to technology—"a way of living with technology that does not allow it to warp, confuse, and lay waste our nature" (Dreyfus & Spinosa, 2003, p. 315). That nature is said to be rooted in moral law expressed in the sanctity of principles that transcend space, culture, and time.

Negropontean predictions about "place without space," "mediumlessness," and "being asynchronous" seem inherently at odds with his own ethical ideals perhaps best articulated in his "One Laptop per Child" initiative, a non-profit humanitarian project producing "a flexible, ultra low-cost, power-efficient, responsive, durable machine with which nations of the emerging world can leapfrog decades of development—immediately transforming the content and quality of their children's learning" (OLPT, 2006). In the earlier edition of this chapter, a prediction was made about content most apt to be accessed, along with what search engines were most apt to display, inevitably dooming this project—despite its noble intentions—in as much as technology warps, confuses, and lays waste to the very principles to which Negroponte subscribed. The initiative died for a number of reasons, in addition to one telling remark in a comprehensive article about the history of the project, titled "OLPC's $100 Laptop Was Going to Change the World—Then It All Went Wrong": "Thirteen years ago, OLPC told the world that every child should get a laptop. It never stopped to prove that they needed one" (Robertson, 2018).

Technological predictions, however humane, "have become the 'airport reading' of the world—a substitute for beach reading in a harried age, just as predictable but a lot less engaging, celebrating not the steamy pleasures of physical reality but the disembodied pleasures of virtual reality" (p. 63), argues Rosalind Williams (2006), director of MIT's Program in Science, Technology, and Society. She elaborates on the digital evangelism of futuristic predictions—technology "will read our thoughts" and "lift us out of the mud of localism to digital globalism"—noting that historians, in particular, are wary of such exaggerated claims (p. 63).

Historian Theodore Roszak, author of *The Making of a Counter Culture* and *The Cult of Information*, has disputed Negropontean claims for decades. "How does the mind think?" he asks. "Not by assembling information, but by applying the intellectual patterns we call 'ideas' to experience. This is something we would not expect machines to do" (personal correspondence, October 11, 2006). Roszak's advice is to commit fiercely to refuting the technologist's claim that the mind is just another machine and to affirm

that thinking with your own naked wits is a pure animal joy that cannot be programmed, and that great culture begins with an imagination on fire. We should remind our children at every turn that more great literature and more great science were accomplished with the quill pen than by the fastest microchip that will ever be invented.

<div align="right">(personal correspondence, October 11, 2006)</div>

Great journalism, like great literature and science, is an outgrowth of critical thinking without which we are left to contemplate Roszak's greatest fear: *that technology will reduce the mind to the level of a machine*. A focus on the dimensions of universal principles—and our duty as journalists to safeguard them—may ward off such a future. The problem is, increasingly, the practice of journalism in the digital age is virtual, mediumless, and asynchronous.

UNIVERSAL CHALLENGE: RESURRECTING THE DIMENSIONS

This chapter thus far has noted that universal principles historically and philosophically have been grounded in the physical dimensions of space, culture and time, which the nature of technology at best obfuscates and at worst, obliterates. Hence, Ellul's vision seems verified at least in part in as much as Negropontean predictions of a humane, ideal-driven digital world appear yet unrealized when typical use of internet technologies is explored. The challenge then is to keep focused not only on universal principles but on how they can be applied using technology as tool to cover space, culture, and time and/or to facilitate such interactions in real rather than virtual community. It also can be argued that the virtual, mediumless, and asynchronous qualities of the Negropontean world have not given society a global village as promised but a global mall (Bugeja, 2005b, p. 8) with an emphasis on entertainment, consumer-profiling, and profit. Digital technologies are said to appeal to the ego rather than to the conscience, intensifying "our collective voyeuristic urges" in a technological society saturated by amusement (Gross, Katz, & Ruby, 2003, p. xi, p. 95). It also has been noted earlier that such saturation is good for business. As David Scott writes in *I.T. Wars: Managing the Business-Technology Weave in the New Millennium*,

> Business is routinely conducted twenty-four hours a day, seven days a week. Organizations are increasing their global outreach. Travel no longer means that people are out-of-the-loop. Because people can stay connected to their work they often find, or at least feel, that they must stay connected. The requirement for effective business and information systems, their proper utilization, and the pressure for the most return possible has never been greater.

<div align="right">(Scott, 2006, p. 1)</div>

Such an assessment also applies to the business of journalism. In 1971 in *The Information Machines*, Ben Bagdikian wrote:

> It has taken two hundred years of the Industrial Revolution for men to realize that they are not very good at predicting the consequences of their inventions: to the surprise of almost everyone, automobiles changed sex habits. Information devices are no exception: machines for mass communications produce unexpected changes in the relationship of the individual to his society.

<div align="right">(1971, p. 1)</div>

The consequences of multimedia platforms—not only involving journalism, but all manner of social and streaming content—also have been surprising, as earlier citations attest, with the focus

increasingly on fiduciary rather than social responsibility. A focus on citizenship, in particular, has long been associated with journalism as the Fourth Estate, again guided by the theory of social responsibility. In *New Media and American Politics*, Davis and Owen (1998) argued that online media "are quantitatively different from the mainstream press. They do not simply represent a variation of the established news media" but offer more opportunities for interactive political analysis, enabling "the public's ability to become actors, rather than merely spectators, in the realm of media politics" (p. 7). Conversely, the authors warned, online media's promise

> is undercut by the commercial and entertainment imperatives that drive them. In reality, the political role of online media is ancillary. They are political when politics pays. Thus the new media's role in the political realm is volatile. Their educational function is incomplete and sporadic.
>
> (p. 7)

Again, the prophecy held true.

The future of political and social websites once looked promising as more newspaper readers migrated online. That hope was extinguished, in part, by 2019 when 200 staff and journalists at BuzzFeed as well as 800 from Yahoo, Huffington Post, TechCrunch, and other outlets were let go. Gannett also fired an additional 400 employees. An insightful *New York Times* piece about the purge, titled "Why the Latest Layoffs Are Devastating to Democracy," stated it was time to panic. In a word, the revenue wasn't there anymore. "The cause of each company's troubles may be distinct, but collectively the blood bath points to the same underlying market pathology: the inability of the digital advertising business to make much meaningful room for anyone but monopolistic tech giants" (Manjoo, 2019).

Thus, online media's role in the political realm remains volatile. Unfortunately, lifestyles, tastes, needs, and social media "affinity groups" are associated with consumer profiling rather than journalism ethics. When an industry obliterates or obfuscates the dimensions of real community—physical place, local culture, and linear time—all that remains is market niche, which technology can segment, compile, and appeal to in the form of "branding," which began the discussion in this chapter. We have come full circle, confronting how journalists can maintain stewardship of the public trust communicating through an autonomous system that routinely clusters the public into consumer groups.

UNIVERSAL CONCLUSIONS: AN ETHICS OF DUTY

The first rendition of this chapter focused on whether journalism ethics could be maintained in an autonomous, asynchronous, multiplatform system designed to surveil and sell via datamining (Bugeja, 2009, ch. 18). This updated chapter warns that ethical principles established in time, culture, and physical place are at risk. Indeed, given the time that U.S. adults spend on the internet, up from 9.4 hours in 2000, to 23.6 hours per week (Condliffe, 2018)—almost a full day—the risk now may be replacing humane values with machine ones. Our devices are programmed for profit via *connectedness* by which data can be mined. Media theorist Douglas Rushkoff says the history of internet "recapitulates the process through which corporatism took hold of our society" with people tethered to machines no longer communicating in public spaces: "And this local, day-to-day, mundane pleasure is what makes us human in the first place" (2011, p. 212). The last time anyone counted, the average Facebook user had 338 friends (Smith, 2014). In 2010, journalist William Powers noted how in the pre-internet past we could go for weeks, even months, without hearing from family and friends; now, thanks to the machine value of connectedness, we are in touch digitally every second of every day during any multitasking interaction at home,

school, or work. "The goal is no longer to be 'in touch' but to erase the possibility of ever being out of touch" (2010, p. 15).

Digital ethics demands more of us. First, we need to determine what the interface or application of a device is programmed to do so that we can analyze whether we are using it responsibly. We also have to measure not only the content of our messages but the systems that deliver them. Finally, we have to ascertain whether principles that define ethical journalism are diluted by those systems, adjusting for the consequences of that in our coverage.

The ultimate challenge of digital ethics not only involves persuading the public that an independent, objective news industry is in its best interest. Journalists (and their publishers) also must overcome (a) the use of autonomous technology to enhance profit of media companies, (b) the shift in priorities from social to fiduciary responsibility, and (c) the obliteration and/or obfuscation of universal principles filtered through market-driven corporate policies and computer practices that are inherently amoral, acultural, and asynchronous. Historians such as Theodore Roszak and Rosalind Williams approach technological issues three dimensionally, especially in assessing technology's impact over time—past, present, and future. Williams, in particular, articulates "the cultural paradox" of the digital age, which "engenders both a sense of liberating possibilities and a sense of oppression," noting that as "information technology keeps reinforcing its dominance in terms defined by the market, other forms of sociability get selected out" (2006, p. 66). To prevent that outcome, we require an ethic beyond the consequences of utilitarianism whose focus is on the future, and one that takes into account the historian's linear time zones of past as well as future.

In an ethics of consequences, writes Clifford Christians, "only the future counts with respect to what is morally significant, and not the past" whereas an ethics of duty "covers the entire time frame" (2006, pp. 60–61). In making a case for such an ethic guided by universal principles of human dignity, truth, and nonviolence, Christians reminds us about the value of physical, cultural, and linear dimensions. "Social systems precede their occupants and endure after them. Therefore, morally appropriate action intends community" (2006, p. 62). Moreover, he argues, "our selfhood is not fashioned out of thin air" (2006, p. 62).

Thin air is the foundation of internet technologies whose asynchronous systems tend to homogenize according to the dictates of consumerism rather than the dimensions of culture or the universals of ethics. Nonetheless, as Christians notes, an ethics of duty requires communicators "to know ethical principles that they share with the public at large—truth-telling, justice, human dignity, keeping one's promises, no harm to the innocent, and so forth" (2006, p. 66). In this, ethicists and practitioners may find the key to realize optimistic assessments of emerging technology, which soon will infiltrate our lives with robots whose machine values will take physical shape. The first edition of this chapter was meant to spur debate, not only about the nature of human beings but also about the nature of technology, so that educators and practitioners can contemplate how universal principles apply online via an ethic of duty (Wilkins & Christians, 2009, ch. 18). This updated chapter calls on educators, journalists, and the public at large to take action to preserve ethical principles.

Recommendations for future study might include:

- Digital journalists adjusting for the virtual dimensions of space without place, mediumlessness, and asynchrony.
  - *Being mindful of what internet technologies may obliterate and/or obfuscate is the first step toward maintaining standards and relevance.*
- In addition to significance and interest, digital news values should emphasize locality, culture, and time.
  - *The objective is to spark interaction not only online but also in face-to-face community.*

- The practice of journalism should happen in real space interpersonally, augmented by data journalism integration into newsrooms.
  - *Journalists must witness the public interpersonally to safeguard the public trust.*
- Coverage should be assessed by universals that ensure the public trust, namely dignity, duty, fairness, freedom, integrity, justice, responsibility, trust, truth, generosity, happiness, pleasure, respect and, above all, sanctity of life.
  - *Universal principles not only ensure standards of social responsibility but also a comprehensive, relevant, balanced news report grounded in the physical dimensions of space, culture, and time.*

Finally, in analyzing the works of Clifford Christians and others cited here, concerning universal principles, future study should continue to focus more comprehensively on how moral theories grounded space, culture, and time make the leap to cyberspace and influence our digital interactions. The preliminary analysis, published here in 2009, suggested that principles do not naturally apply or even reveal themselves in autonomous technological systems that are ends in themselves. This updated chapter affirms that analysis and challenges us to take to heart the concepts and theories of Christians and Ellul, both of whom understand the social consequences of technology. Christians, especially, writes convincingly on the journalistic merits of an ethics of duty. It will require an ethicist of his erudition and acumen to ascertain conclusively whether principles remain intact or metamorphose in virtual environments and how, if at all, journalists can adjust for space without place, mediumlessness, and asynchrony.

NOTES

1. In *Interpersonal Divide: The Search for Community in a Technological Age* (Oxford University Press, 2005), Michael Bugeja makes the case that McLuhan's biological model of technology's extending human senses is largely erroneous. He uses a physics model to explain how communication technology splits the senses by locating users in both real and virtual space, such as occurs when a person uses a cell phone while driving (pp. 122–141).
2. The question put to Manuel Castells was asked on June 19, 2006 following his speech to open the 56h conference of the International Communication Association in Dresden, Germany. The author of this chapter asked it.
3. The SPJ Preamble states: "Members of the Society of Professional Journalists believe that public enlightenment is the forerunner of justice and the foundation of democracy. Ethical journalism strives to ensure the free exchange of information that is accurate, fair and thorough. An ethical journalist acts with integrity."

REFERENCES

Aristotle. (1998). *The Nicomachean Ethics* (D. Ross Trans.). Oxford: Oxford University Press.

Bagdikian, Ben H. (2004). *The New Media Monopoly*. Boston, MA: Beacon.

Bugeja, Michael (2005a). Journalism's New Bottom Line. *The Quill*, October/November, pp. 31–33.

Bugeja, Michael. (2005b). *Interpersonal Divide: The Search for Community in a Technological Age*. New York: Oxford University Press.

Bugeja, Michael (2006). Facing the Facebook. *The Chronicle of Higher Education*, January 13. Retrieved April 24, 2019 from https://chronicle.com/article/Facing-the-Facebook/46904.

Bugeja, Michael (2009). Digital Ethics in Autonomous Systems. In *The Handbook of Mass Media Ethics*. New York: Taylor and Francis, pp. 242–257.

Challenger, Donald, & Friend, Cecilia. (2001). Fruit of the Poisonous Tree: Journalistic Ethics and Voice-Mail Surveillance. *Journal of Mass Media Ethics*, 16(4), 255–272.

Christians, Clifford. (1997). The Ethics of Being in a Communications Context. In C. Christians & M. Traber (Eds.), *Communication Ethics and Universal Values*. Thousand Oaks, CA: Sage Publications, pp. 3–23.

Christians, Clifford. (2006). The Case for Communitarian Ethics. In M. Land & B. W. Holiday (Eds.), *Contemporary Media Ethics: A Practical Guide for Students, Scholars and Professionals*. Spokane, WA: Marquette Books, pp. 57–71.

Clement, J. (2017). Most popular online activities of adult internet users in the United States. *Statista*, November 7. Retrieved January 6, 2020 from www.statista.com/statistics/183910/internet-activities-of-us-users/

Condliffe, Jamie (2018). The Average American Spends 24 hours a Week Online. *MIT Technology Review*, January 23. Retrieved April 25, 2019 from https://technologyreview.com/f/610045/the-average-american-spends-24-hours-a-week-online/

Darr, Joshua P., Hitt, Matthew P., & Dunaway, Johanna L. (2019). When Newspapers Close, Voters Become More Partisan. *Utica College Center of Public Affairs and Election Research*, February 12. Retrieved April 8, 2019 from https://ucpublicaffairs.com/home/2019/2/12/when-newspapers-close-voters-become-more-partisan-by-joshua-darr-johanna-dunaway-amp-matthew-hitt

Davis, Richard, & Owen, Diana. (1998). *New Media and American Politics*. New York: Oxford University Press.

Donnelly, Godron (2018). 75 Super-Useful Facebook Statistics for 2018. *Wordstream*. September 7. Retrieved April 24, 2019 from https://wordstream.com/blog/ws/2017/11/07/facebook-statistics

Dreyfus, Hubert L., & Spinosa, Charles. (2003). Heidegger and Borgman on How to Affirm Technology. In R. Scharff & V. Dusek (Eds.), *Philosophy of Technology: The Technological Condition*. Malden, MA: Wiley Blackwell, pp. 315–326.

Elliott, Deni. (1997). Universal Values and Moral Development Theories. In C. Christians & M. Traber (Eds.), *Communication Ethics and Universal Values*. Thousand Oaks, CA: Sage Publications, pp. 68–83.

Ellul, Jacques. (2003). The 'Autonomy' of the Technological Phenomenon. In R. Scharff & V. Dusek (Eds.), *Philosophy of Technology: The Technological Condition*. Malden, MA: Wiley-Blackwell, pp. 386–397.

Grieco, ELizabeth (2018). Newsroom Employment Dropped Nearly a Quarter in Less Than 10 Years, With Greatest Decline at Newspapers. *Pew Research Center*, July 30. Retrieved April 2, 2019 from https://pewresearch.org/fact-tank/2018/07/30/newsroom-employment-dropped-nearly-a-quarter-in-less-than-10-years-with-greatest-decline-at-newspapers/.

Gross, Larry, Katz, John Stuart and Ruby, Jay (Eds.). (2003). *Image Ethics in the Digital Age*. Minneapolis, MN: University of Minnesota Press.

Grynbaum, Michael M. (2019). Trump Discusses Claims of 'Fake News,' and Their Impact. *The New York Times*, February 1. Retrieved April 3, 2019 from https://nytimes.com/2019/02/01/business/media/donald-trump-interview-news-media.html

Heidegger, Martin. (2003). The Question Concerning Technology. In R. C. Scharff & V. Dusek (Eds.), *Philosophy of Technology: The Technological Condition*. Malden, MA: Wiley-Blackwell, pp. 252–264.

Hitwise (2006). MySpace Is the Number One Website in the United States, July 11. Retrieved Dec. 8, 2006 from http://hitwise.com.au/press-center/hitwiseHS2004/social-networking-june-2006.php

Hong, Sounman, & Kim, Sun Hyoung. (2016). Political Polarization on Twitter: Implications for the Use of Social Media in Digital Governments. *Government Information Quarterly*, 33(4), 777–782.

Jay, John. (1890–93). *The Correspondence and Public Papers of John Jay* (Henry P. Johnston, Ed.). New York: G. P. Putnam's Sons.

Jefferson, Thomas (1787). Letter to Edward Carrington, January 16. Retrieved June 10, 2006 from http://cooperativeindividualism.org/jefferson_d_01.html#D10

Jones, Jeffrey M. (2013). In U.S., 40% Get Less Than Recommended Amount of Sleep. *Gallup*, December 19. Retrieved April 2, 2019 from https://news.gallup.com/poll/166553/less-recommended-amount-sleep.aspx

Manjoo, Farhad (2019). Why the Latest Layoffs Are Devastating to Democracy. *The New York Times*, January 30. Retrieved April 25, 2019 from https://nytimes.com/2019/01/30/opinion/buzzfeed-layoffs.html

Marvin, Rob (2018). "Americans Spend More Than 11 Hours Per Day Consuming Media. *PC Magazine*, July 31. Retrieved April 2, 2019 from https://pcmag.com/news/362772/americans-spend-over-11-hours-per-day-consuming-media

McLuhan, Marshall. (2002). *Understanding Media: The Extensions of Man* (Original work published in 1964). Cambridge, MA: MIT Press.

Mencher, Melvin. (2011). *News Reporting and Writing*. New York: McGraw Hill.

Merritt, Davis. (2005). *Knightfall: Knight Ridder and How the Erosion of Newspaper Journalism Is Putting Democracy at Risk*. New York: AMACOM/American Management Association.

Miller, David (2006). "Finding the Reason to Be: Creating a Durable Brand Identity." *Ideas: The Magazine of Newspaper Marketing*, March, pp. 9–13.

Napoli, Philip M., Weber, Matthew, McCollough, Katie, & Wang, Qun (2018). "Assessing Local Journalism: News Deserts, Journalism Divides, and the Determinants of the Robustness of Local News." *DeWitt Center for Media & Democracy*, August, pp.1–26. Also retrieved April 5, 2019 from https://dewitt.sanford.duke.edu/wp-content/uploads/2018/08/Assessing-Local-Journalism_100-Communities.pdf.

Negroponte, Nicholas. (1995). *Being Digital*. New York: Knopf.

Negroponte, Nicholas (1998). Beyond Digital. *Wired*, December. Retrieved November 23, 2006 from http://web.media.mit.edu/~nicholas/Wired/WIRED6-12.html

Noyes, Dan. (2020). The Top 20 Valuable Facebook Statistics. *Zephoria*, January. Retrieved January 6, 2020 from https://zephoria.com/top-15-valuable-facebook-statistics/

"One Laptop per Child" (2006). Home page. Retrieved December 9, 2006 from http://laptop.org/

Palmer, Parker J. (1981). *The Company of Strangers*. New York: Crossroad.

Parietti, Melissa (November 8, 2018). Top Ten Technology Companies. *Investopedia*. Retrieved April 25, 2019 from https://investopedia.com/articles/markets/030816/worlds-top-10-technology-companies-aapl-googl.asp

Perrin, Andrew (2015). "Social Media Usage: 2005–2015." *Pew Research Center*, October. Retrieved April 2, 2019 from https://pewinternet.org/2015/10/08/social-networking-usage-2005-2015/

Pew Research Center (June 13, 2018). State of the News Media: Newspaper Fact Sheet. Retrieved April 25, 2019 from https://journalism.org/fact-sheet/newspapers/

Postman, Neil. (1993). *Technopoly: The Surrender of Culture to Technology*. New York: Vintage.

Powers, William. (2010). *Hamlet's Blackberry: A Practical Philosophy for Building a Good Life in the Digital Age*. New York: Harper.

Provost, Bob (2017). The Newspaper Industry Is Having a Brand Crisis. *Editor & Publisher*, January 3. Retrieved April 3, 2019 from https://editorandpublisher.com/feature/the-newspaper-industry-is-having-a-brand-crisis/

Robertson, Adi (2018). OLPC's $100 Laptop Was Going to Change the World — Then It All Went Wrong. *The Verge*, April 16. Retrieved April 25, 2019 from https://theverge.com/2018/4/16/17233946/olpcs-100-laptop-education-where-is-it-now

Rosen, Christine (Fall 2004/Winter 2005). The Age of Egocasting. *The New Atlantis*. Retrieved December 8, 2006 from http://thenewatlantis.com/archive/7/rosen.htm

Rushkoff, Douglas. (2011). *Life Inc: How Corporatism Conquered the World, and How We Can Take It Back*. New York: Random House.

Scharff, R. C., & Dusek, V. (Eds.). (2003). Is Technology Autonomous: Introduction. In *Philosophy of Technology: The Technological Condition*, Malden, MA: Blackwell.

Scott, David. (2006). *I.T. Wars: Managing the Business-Technology Weave in the New Millennium*. Charleston, SC: Booksurge.

Seth, Shobhit (2018). The World's Top Ten Media Companies. *Investopedia*, October 5. Retrieved April 25, 2019 from https://investopedia.com/stock-analysis/021815/worlds-top-ten-media-companies-dis-cmcsa-fox.aspx

Shearer, Elisa (2018). Social media outpaces print newspapers in the U.S. as a news source. *Pew Research Center*, December 10. Retrieved January 6, 2020 from www.pewresearch.org/fact-tank/2018/12/10/social-media-outpaces-print-newspapers-in-the-u-s-as-a-news-source/

Matsa, Katerina Eva, & Shearer, Elisa (2018). News Use Across Social Media Platforms 2018. *Pew Research Center*, September 10. Retrieved April 3, 2019 from https://journalism.org/2018/09/10/news-use-across-social-media-platforms-2018/

Silverman, Craig, & Alexander, Lawrence (2016). How Teens In The Balkans Are Duping Trump Supporters With Fake News. *BuzzFeed News*, November 3. Retrieved April 3, 2019 from https://buzzfeednews.com/article/craigsilverman/how-macedonia-became-a-global-hub-for-pro-trump-misinfo#.op95xv35M

Smith, Arron (2014). What People Like and Dislike About Facebook. *Pew Research Center*, February 3. Retrieved April 25, 2019 from https://pewresearch.org/fact-tank/2014/02/03/what-people-like-dislike-about-facebook/

Society of Professional Journalists' Code of Ethics (1996). *Preamble*. Retrieved December 9, 2006 from http://spj.org/ethicscode.asp

Sommers, Christina Hoff (1993). Teaching the Virtues. *Chicago Tribune Magazine* [reprint], September 12, p. 16.

Stroud, Court (2018). Cambridge Analytica: The Turning Point in the Crisis About Big Data. *Forbes*, April 4. Retrieved April 25, 2019 from https://forbes.com/sites/courtstroud/2018/04/30/cambridge-analytica-the-turning-point-in-the-crisis-about-big-data/#19e814a448ec

Terdiman, Daniel. (2005). MoSoSos Not So So-So. *Wired News*, March 8. Retrieved December 8, 2006 from http://wired.com/news/culture/0,1284,66813,00.html?tw=wn_tophead_4

The Pew Research Center. (2006, July 30). Online Papers Modestly Boost Newspaper Readership: Maturing Internet News Audience Broader Than Deep. Retrieved January 6, 2020 from www.people-press.org/2006/07/30/online-papers-modestly-boost-newspaper-readership/

Usher, N. (2015). Newsroom Moves and the Newspaper Crisis Evaluated: Space, Place, and Cultural Meaning. *Media, Culture & Society*, 37(7), 1005–1021.

Williams, Rosalind. (2006). History as Technological Change. In M. E. Winston & R. D. Edelbach (Eds.), *Society, Ethics, and Technology*. Belmont, CA: Thomson/Wadsworth, pp. 60–68.

24

Peace Journalism

Seow Ting Lee

INTRODUCTION

Peace journalism is a child of its time, a reaction to fractured politics and a growing disenchantment with journalistic norms that fan conflict, inadvertently or otherwise. Peace journalism was first proposed in the 1970s by Norwegian peace studies founder Johan Galtung, who envisioned it as a self-conscious, working concept for journalists covering war and conflict (Lynch & McGoldrick, 2006). Galtung (1998a), who made a strong case for rerouting journalism to a "high road" for peace, was critical of the "low road" taken by news media in chasing wars and the elites who run them, fixating on a win-lose outcome, and simplifying the parties to two combatants slugging it out in a sports arena. War reporting is also influenced by a military command perspective: news is about who advances, who capitulates, while losses are recorded in terms of tangible human casualties and material damage. Galtung urged journalists to take the "high road" of peace journalism that focused on conflict transformation:

> As people, groups, countries and groups of countries seem to stand in each other's way (that is what conflict is about) there is a clear danger of violence. But in conflict there is also a clear opportunity for human progress, using the conflict to find new ways, transforming the conflict creatively so that the opportunities take the upper hand—without violence.

By taking an advocacy, interpretative approach, the peace journalist concentrates on stories that highlight peace initiatives; tone down ethnic and religious differences; prevent further conflict; focus on the structure of society; and promote conflict resolution, reconstruction, and reconciliation. Galtung (1998b, 2000, 2002) observed that traditional war journalism is modeled after sports journalism, with a focus on winning in a zero-sum game. Similarly, the reporting of peace negotiations is modeled after court journalism. Participants are portrayed as verbal pugilists: what is newsworthy is about who outsmarts the other, and who maintains his original position. In Galtung's vision, peace journalism is modeled after health journalism. A good health reporter describes a patient's battle against cancer and yet informs readers about the disease's causes as well as the full range of cures and preventive measures. According to Lynch and McGoldrick's (2006) definition, "[p]eace journalism

is when editors and reporters make choices—of what stories to report and about how to report them—that create opportunities for society at large to consider and value non-violent responses to conflict" (p. 5).

TWO NEWS VALUES: OBJECTIVITY AND CONFLICT

War reporting is a journalistic litmus test because journalists have to navigate an ethical minefield filled with critical questions about the accuracy and fairness of their coverage, the consequences of reportage, and personal safety. War reporting is shaped by two major journalistic values: objectivity and conflict. At first glance, peace journalism runs counter to the time-honored journalistic value of objectivity that sees the journalist as a detached and unbiased mirror of reality. As a neutral bystander, the journalist strives for detachment from internal biases and external influences while striking a midpoint between competing viewpoints through eyewitness accounts of events, and corroboration of facts with multiple sources to achieve balance. According to Iggers (1998): "Although few journalists still defend objectivity, it remains one of the greatest obstacles to their playing a more responsible and constructive role in public life" (p. 91). If this is true, responsible journalism should be about intervention, as argued by McGoldrick and Lynch (2000): "The choice is about the ethics of that intervention—therefore the question becomes 'what can I do with my intervention to enhance the prospects for peace?'"

Many advocates of peace journalism thus view the approach as a moral imperative, especially in a world wracked with pessimism about the role of reason in solving conflict. As a goal-oriented strategy, peace journalism is premised upon journalists' conscious, active, and formal engagement of specific working principles to promote peace. Two misconceptions about peace journalism must be dispelled. Peace journalism does not rely on actions that are unconscious, informal, or aimed only at avoiding harm; for example, steering clear of inflammatory reporting that may provoke violence. The principle of "doing no harm" rests upon a lower moral foundation when compared to the principle of "doing good" that peace journalism aspires to do. Galtung (1968) distinguishes between "negative peace" and "positive peace"; the former refers to the absence of organized violence between nations or religious, racial, ethnic groups, while the latter is defined as patterns of cooperation and integration. In Galtung's reckoning, the latter supersedes the former—thus opening up a role for peace journalism.

In war reporting, objectivity is used to justify journalists' disinterested moral autonomy from being swayed by the parties involved in a conflict. However, journalistic objectivity may cause more harm than good. As noted by Hackett (1989), "Objective journalism's respect for the prevailing social standards of decency and good taste likely mutes reportage of the brutality of war, and the suffering of victims, helping to turn war into a watchable spectacle rather than an insufferable obscenity" (pp. 10–11). Objective reporting's focus on facts and overt events, "de-values ideas and fragments experience, thus making complex social phenomena more difficult to understand" (Iggers, 1998, pp. 106–107). Hackett's and Iggers's arguments make a moral case for advocacy journalism—the non-objective, self-conscious intervention by journalists premised in public journalism, development journalism, and peace journalism.

Factual reporting of war is a chimera; the ingredients of war—patriotism, national interest, anger, censorship, and propaganda—conspire to prevent objective and truthful accounts of a conflict (see Carruthers, 2000; Dardis, 2006; Devere, 2017; Iggers, 1998; Knightley, 1975, 2004; Lukacovic, 2016; Michael, 2006; Van Ginneken, 1998). Pedelty (1995) showed how institutional influences shaped the reporting of the civil war in El Salvador in the 1980s by comparing

two reports about the shooting down of a U.S. military helicopter. Written by the same correspondent, one report was for an American paper, and the other for a European paper. The former validated the anger of U.S. officials to legitimize the release of aid to fight the rebels, but the latter sympathized with the rebels. Similar findings, which abound in the literature of war reporting, are consistent with Knightley's (1975) observation, in paraphrasing U.S. Senator Hiram Johnson's famous remark in 1917 that in war truth is the first casualty. Galtung (1998b), however, argued that truth is only the second victim in war; the first is peace. Truth telling, even when it is achievable, is not enough because "[t]ruth journalism alone is not peace journalism." War reporting requires some degree of separation from the military but embedded or similar programs in which journalists travel and report alongside military units—embraced warmly by war reporters desperate to gain access to battlefields—further compromise objectivity (see Devere, 2017; Haig et al., 2006; Paul & Kim, 2004; Pfau et al., 2004; Rosenblum, 1979). "A reporter who travels with one army, sharing C-ration peanut butter and watching friends fall dead, finds it hard to separate himself from the men around him" (Rosenblum, 1979, p. 173).

War reporting is grounded in the notion of conflict as a significant news value. The drama of discord inherent in antagonistic and opposing actions, fueled by a related news value—violence, appeals to journalists and their audiences alike. As a result, war reporting is often sensational and a mere device to boost circulations and ratings (Allen & Seaton, 1999; Hachten, 1999; Toffler & Toffler, 1994) although Galtung himself was skeptical of the claim that violence sells; he viewed it as an excuse panned out by incompetent journalists: "To say that violence is the only thing that sells is to insult humanity" (Galtung, 2000, p. 163). Journalistic preoccupation with conflict drives war journalism to be characterized by an identification with one or the home side of the war; military triumphantist language; an action orientation; and a superficial narrative with little context, background, or historical perspective. The news value of conflict further renders consensus-building efforts non-newsworthy. Journalists often ignore peace negotiations unless the proceedings are accompanied by violent or verbally explosive sideshows. Peace journalism subscribes to universal protonorms of nonviolence and respect for human dignity, which many journalists have cast aside in their pursuit of what they consider to be far worthier goals—professional values of objectivity and newsworthiness. In a sense, the peace journalist has grappled with and succeeded in answering the fundamental question: Am I a human being first or a journalist first?

Like public journalism and development journalism, peace journalism is grounded in communitarian philosophy—namely the commitment to the idea of civic participation, the understanding of social justice as a moral imperative, and the view that the value and sacredness of the individual are realized only in and through communities. Christians, Ferré, and Fackler (1993) urged journalists to abandon libertarianism in favor of communitarianism by adopting a new journalistic standard that gives priority to civic transformation. The idea that journalists have an active and conscious role in promoting peace is controversial nonetheless. The term "peace journalism" invokes strong reactions, many of them unfavorable. Unfortunately, peace is an overused, nebulous, and often misunderstood word; its inherent idealism does not seem to fit in with the mood of pessimism governing these trying times. The term "peace journalism" was coined by Galtung more than three decades ago, but as a practice, it has not gained wide acceptance among journalists nor attracted adequate attention from researchers.

In August 1993, Galtung founded TRANSCEND (www.transcend.org), a non-profit organization, to advance his ideas of peace, including peace journalism. In the late 1990s, his ideas were picked up by U.K.-based Conflict and Peace Forums (CPF) that refined his model through a series of dialogues with journalists. The CPF published four booklets: The Peace Journalism Option (Lynch, 1998), What Are Journalists For? (Lynch, 1999), Using Conflict Analysis in Reporting (Lynch, 2000), and Reporting the World (2002)—that are mainly how-to manuals based on anecdotes. Just as journalists are more interested in covering war than peace, much

has been written and studied about the role of the media in war, but little about their role in peace. Although there exists an excellent body of literature and research on war journalism (e.g., Abubakar, 2019; Allan & Zelizer, 2004; Carruthers, 2000; Dardis, 2006; Dimitrova, 2006; Hallin, 1986, 1987; Hallin & Gitlin, 1994; Iyengar & Simon, 1994; Knightley, 1975, 2004; Lang & Lang, 1994; Seib, 2004; Zhang, 2015), most of the work on peace journalism is philosophical or normative, outlining its benefits and detailing how it can be implemented (e.g., Galtung, 1986, 1998b, 2002; Horvitt, Cortés-Martinez & Kelling, 2018; Lukacovic, 2016; Lynch, 1998, 2003a, 2003b; Lynch & McGoldrick, 2006; McGoldrick & Lynch, 2000; Youngblood, 2016). There is little research on peace journalism, which is all the more relevant today in a world wracked with strife and conflict. Few studies have operationalized peace journalism.

The subsequent sections of this chapter will review four studies about the framing of war and conflict which are based on Galtung's framework of peace/war journalism, and discuss the implications of the findings as well as directions for future research.

OPERATIONALIZING GALTUNG'S IDEAS

I was introduced to peace journalism by Filipino media scholar Maslog C. Crispin, who has developed and taught modules in peace journalism as part of his courses in international/intercultural communication in Asia, Norway, and the United States. Maslog is also author of *A Manual on Peace Reporting in Mindanao* (1990). Our collaboration resulted in several publications; the first was Lee and Maslog (2005). The *Journal of Communication* study is the first to offer a quantitative contribution to a topic that has received mostly normative and anecdotal discussion. By operationalizing Galtung's classification of war/peace journalism, the study focused on four Asian conflicts: the Kashmir dispute between India and Pakistan; the Tamil Tiger uprising in Sri Lanka; the Aceh and Maluku civil wars in Indonesia; and the Mindanao separatist movement in the Philippines.

The study shows that news coverage of these conflicts is dominated by a war journalism frame. The Indian and Pakistani coverage of the Kashmir issue reveals the strongest war journalism framing while the coverage of the Tamil Tiger movement and the Mindanao conflict by the Sri Lankan and the Philippine newspapers suggests a more promising peace journalism framing. The three most salient indicators of peace journalism are the avoidance of demonizing language, a non-partisan approach, and a multi-party orientation. The war journalism frame is supported by a focus on the here and now, an elite orientation, and a dichotomy of good and bad. Based on a similar peace journalism research framework, my co-researchers and I published two other studies in 2006 that expanded our scope of study to the 2003 War in Iraq. An *Asian Journal of Communication* article examined how five Asian countries framed the war in Iraq (Maslog, Lee, & Kim, 2006) while an *International Communication Gazette* article compared the framing of Asian conflicts with that of the war in Iraq (Lee, Maslog, & Kim, 2006). A forthcoming work (Kim, Lee, & Maslog, 2009) focuses on the framing of Asian conflicts by vernacular newspapers. These four studies will be discussed in greater detail in this chapter.

Theoretically, peace journalism is supported by framing theory. There is no one standard definition of framing (Entman, 1993; McCombs, Lopez-Escobar, & Llamas, 2000; Scheufele, 1999) but broadly, news framing refers to the process of organizing a news story, thematically, stylistically, and factually, to convey a specific story line. According to Entman (1993),

> to frame is to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item described.
>
> (p. 52)

Tankard, Hendrickson, Silberman, Bliss, and Ghanem (1991) described a media frame as "the central organizing idea for news content that supplies a context and suggests what the issue is through the use of selection, emphasis, exclusion and elaboration" (p. 3). Frames package key ideas, stock phrases, and stereotypical images to bolster a particular interpretation. Through repetition, placement, and reinforcement, the texts and images provide a dominant interpretation more readily perceivable, acceptable, and memorable than other interpretations (Entman, 1991).

McCombs, Shaw, and Weaver (1997) argued that the concepts of agenda-setting and framing represent a convergence, in that framing is an extension of agenda-setting. In fact, the concept of framing has been explicated as second-level agenda setting (Jasperson, Shah, Watts, Faber, & Fan, 1998; McCombs, 1994; McCombs & Bell, 1996; McCombs & Evatt, 1995; McCombs et al., 1997). Object salience is transmitted in the first level of the agenda setting process. In the second level, framing, or indicator salience, illustrates how the media tell us *how* to think about something—a reprise of Bernard Cohen's famous statement that the media tell us what to think about. Framing is found to activate specific thoughts and ideas for news audiences, as seen in the vast body of framing effects research (e.g., Iyengar, 1991; McLeod & Detenber, 1999; Price, Tewksbury, & Powers, 1997; Schuck & de Vreese, 2006; Sotirovic, 2000; Thorson, 2006; Willnat et al., 2006).

A number of studies have focused on the framing of war reporting. Gamson (1992) identified four frames used in the framing of the Arab-Israeli conflict: strategic interests, feuding neighbors, Arab intransigence, and Israeli expansionism. Wolfsfeld (1997) found that the media's pursuit of "drama" frames in the Middle East conflict accorded the extremists from both sides more than their due share of air time, while drowning voices calling for peace. Carruthers (2000) suggested that the media, subjected to state and military censorship, employed the same values and priorities in reporting conflict as in covering other events. As a result, media become willing accomplices in wartime propaganda, and may help instigate conflict. Pfau et al. (2004) found that the embedded journalist coverage of the 2003 war in Iraq was framed more favorably toward the U.S. military than non-embedded reporting. Lawrence (2006), who studied the coverage of the Abu Ghraib prison abuse scandal in American newspapers, found a framing homogeneity that can be explained by institutionalist theory.

WAR AND PEACE: TWO COMPETING FRAMES

Galtung viewed peace journalism and war journalism as two competing frames. His classification of war journalism and peace journalism is based on four broad practice and linguistic orientations: peace/conflict, truth, people, and solutions. In contrast, war journalism is oriented in war/violence, propaganda, elites, and victory. Galtung's labeling of peace journalism as both peace- and conflict-oriented may appear paradoxical but in reality, peace-oriented journalists must first accept that a conflict exists, and explore conflict formations by identifying the parties, goals, and issues involved. The journalist understands the conflict's historical and cultural roots, and by giving voice to all parties (not only two opposing sides), creates empathy and understanding without resorting to emotionally-charged devices. Through careful, consistent, and conscientious application of peace journalism practices, the peace journalist hopes to create a setting in which the causes of and possible solutions to the conflict become transparent. Other peace journalism approaches include taking a preventive advocacy stance—for example, editorials and columns urging reconciliation and focusing on common ground rather than on vengeance, retaliation, and differences—and emphasizing the invisible effects of violence (e.g., emotional trauma, and damage to the social structure). In contrast, war journalism plays up conflict as an arena where participants are grouped starkly into two opposing sides ("them vs. us") in a zero-sum game, and focuses on the visible effects of war (casualties and damage to property).

Galtung's classification of war/peace journalism was expanded by McGoldrick and Lynch (2000) and Lynch and McGoldrick (2006) into 17 good practices in covering war. Advice to journalists included focusing on solutions, reporting on long-term and invisible effects, orientating the news on ordinary people, reporting about all sides, and using precise language. Maslog (1990) offered a similar peace journalism manual based on the Mindanao conflict that clarifies differences between Muslims and Christians and, more importantly, their common ground. Advice included avoiding mention of culturally offensive issues such as pork consumption and polygamous practices. Another important principle is linguistic accuracy. "Rebels" should be identified as dissidents of a particular political group, and not simply as "Muslim rebels."

PEACE JOURNALISM IN COVERAGE OF ASIAN CONFLICTS
(LEE & MASLOG, 2005)

In our research, a news frame is defined as an interpretive structure that sets specific events within a comprehensive context. Based on Galtung's classification of war/peace journalism, our first study posed two research questions: (1) Does the news coverage of the four Asian conflicts reflect war journalism and war journalism frames, and are there differences in framing with different conflicts? (2) What are the salient indicators of war/peace journalism manifest in the news coverage of these conflicts?

The 1,338 stories were harvested from the 10 English-language newspapers from five Asian countries—India: *Times of India* (122 stories); *Hindustan Times* (137); *Statesman* (91); Pakistan: *Dawn* (131); *Pakistan News Service* (261); The Philippines: *Philippine Daily Inquirer* (122); *Philippine Star* (61); Indonesia: *Jakarta Post* (189); and Sri Lanka: *Daily News & Sunday Observer* (145); *Daily Mirror* (79). The unit of analysis was the individual story, a definition that included "hard" news, features, opinion pieces, and letters to the editor.[1]

The coding categories involved 13 indicators of war journalism and 13 indicators of peace journalism (see Appendix 24.1). These indicators, used to elicit from the body text of each story which frame—war or peace journalism—dominated the narrative, comprised two themes: approach and language. The approach-based criteria included: (1) reactivity, (2) visibility of effects of war, (3) elite orientation, (4) differences, (5) focus on here and now, (6) good and bad dichotomy, (7) party involvement, (8) partisanship, (9) winning orientation, and (10) continuity of reports. The language-based criteria focused on language that was (1) demonizing, (2) victimizing, and (3) emotive.

A DOMINANT WAR JOURNALISM FRAMING

Of the 1,338 stories, 749 stories (56%) were framed as war journalism, compared to 478 stories (35.7%) framed as peace journalism, and 111 neutral stories (8.3%). Overall in the sample, the war journalism frame was more dominant than peace journalism or neutral frames, χ_2 (2, $N = 1,338$) = 459.771, $p < .0001$. Country-wise, there was a significant difference in war/peace/neutral framing of stories, χ_2 (4, $N = 1,338$) = 150.834, $p < .001$; Cramer's $V = .237$, $p < .001$. The strongest war journalism framing was found in the Kashmir coverage by Pakistani and Indian newspapers, followed by Indonesian, Philippines, and Sri Lankan papers' coverage of their respective conflicts. Conversely, the strongest peace journalism framing was from Sri Lanka, followed by the Philippines, Indonesia, India, and Pakistan. The following section discusses the patterns of framing for each country's newspapers.

India-Pakistan (Kashmir). There was a significantly higher proportion of war journalism frames observed in Pakistani papers (74.2%) than for Indian papers (63.7%), χ_2 (2, $N = 742$) = 10.886, $p < .005$; Cramer's $V = .121$, $p < .005$. The distribution of war/peace/neutral stories also differed among the five newspapers, χ_2 (8, $N = 742$) = 23.104, $p < .005$; Cramer's $V = .125$, $p < .005$. The strongest war journalism framing is seen in the *Pakistan News Service*; nearly 80% of its stories were framed as war journalism, followed by the *Statesmen* (67%), *Hindustan Times* (66.4%), *Pakistan Dawn* (65.6%), and *Times of India* (59%). *The Pakistan News Service*, a national news agency, has the highest number of war journalism frames among the 10 news outlets examined in the content analysis.

Indonesia. There was a significant difference in the distribution of war/peace/neutral frames in the *Jakarta Post*; 48% of its stories were framed as war journalism, compared to 41.8% framed as peace journalism, and 10.1% neutral stories, χ_2 (2, $N = 189$) = 47.238, $p < .001$. The *Jakarta Post* published 110 articles on the Free Aceh movement, and 79 on the Maluku conflict. Comparing the Aceh and Maluku conflicts, however, 37.31% of articles about Aceh were framed as war journalism compared to 54.5% peace journalism, and 8.2% neutral. In contrast, the Maluku stories showed a more salient war journalism frame—63.3% compared to 24.1% peace journalism, and 12.7% neutral. Clearly, the *Jakarta Post*'s coverage of the two conflicts did not share the same framing pattern, χ_2 (2, N = 189) = 17.610, $p < .001$; Cramer's $V = .305$, $p < .001$.

Sri Lanka. The LTTE (Liberation Tigers of Tamil Eelam) coverage by Sri Lankan papers showed the strongest peace journalism framing. Of the 224 stories, more peace journalism stories were observed—58.0% compared to 30.8% war journalism stories, and 11.2% neutral stories, χ_2 (2, $N = 224$) = 74.473, $p < .001$. There was a significant difference between the two papers, χ_2(2, N = 224) = 7.080, $p < .05$; Cramer's $V = .178$, $p < .05$, with more peace journalism frames in the *Daily Mirror* than in the *Daily News & Sunday Observer*. There was also a significant difference before and after the December 2001 ceasefire between the Sri Lankan government and the LTTE, χ_2(2, $N = 224$) = 30.199, $p < .001$; Cramer's $V = .367$, $p < .001$. Prior to the ceasefire, the two papers demonstrated a significant framing difference, χ_2(2, $N=224$)=14.377, $p < .001$; Cramer's $V=.199$, $p < .05$. Before the ceasefire, *the Daily News & Sunday Observer* produced 51.5% of war journalism stories, compared to 38.4% of peace journalism stories, and 10.1% neutral stories. After the ceasefire, its war journalism stories dropped to 4.3% while peace journalism stories increased to 89.1%. Before the ceasefire, the *Daily Mirror* published 20.4% war journalism stories, 59.3% peace journalism stories, and 20.4% neutral stories. After the ceasefire, its war journalism stories remained at 20.0% while peace journalism stories increased to 76.0%. As a result of an increase in peace journalism stories, there was no significant difference in the post-ceasefire distribution of war/peace journalism stories between the two papers, χ_2 (2, $N = 224$) = 4.538, $p < .103$. With the ceasefire, there was a change from war journalism to peace journalism framing in the *Daily News & Sunday Observer* but the change was less obvious in the *Daily Mirror* because it had a strong peace journalism framing prior to the ceasefire.

The Philippines

The framing of war/peace journalism stories was less clear. Although the newspapers produced more peace journalism stories compared to war journalism stories, statistical significance was absent, χ_2(1, $N = 171$) = 2.579, $p < .108$. There was a significant difference in the distribution of war/peace/neutral frames between the *Philippine Daily Inquirer* and the *Philippine Star*, χ_2(2, $N=183$)=6.840, $p < .05$; Cramer's $V=.193$, $p < .05$, with more peace journalism stories in the *Daily Inquirer* compared to the *Star*.

INDICATORS OF WAR JOURNALISM AND PEACE JOURNALISM

Based on a frequency of 5,220, the three most salient indicators of war journalism were: a focus on the here and now (17.6%), an elite orientation (15.4%), and a dichotomy of the good and the bad (10.3%). Through a here-and-now perspective, the war journalism stories confined a conflict to a closed space and time, with little exploration of the causes and long-term effects of the conflict. Reporting only on the here and now is a common journalistic practice, focusing on only what is happening in the battlefield, the military clashes and the casualties, with very little background. Stories tended to focus on elites—political leaders and military officials—as actors and sources while ignoring the foot soldiers who fight the wars and the civilians who suffer the consequences of wars. Dichotomizing between the bad guys and the good guys involves casting simplistic moral judgments about the parties involved, and assigning blame to the party who started conflict. For example, the *Pakistan News Service* reported: "The Indian government's fake elections held in the valley will not deter them. Despite giving them the right to self-determination, the Indian government had stepped up its brutal activities against innocent people in occupied Kashmir" ("Indian election drama not alternative to Kashmir cause," April 5, 2002).

The three most salient indicators of peace journalism, based on a frequency of 9,104, were avoidance of demonizing language (15.9%), non-partisanship (13.8%), and multi-party orientation (12.8%). In avoiding demonizing language, the journalists provided precise titles or descriptions to players. By being non-partisan, stories were not biased for one side or another. In pursuing a multi-party orientation, stories gave a voice to the many parties involved, treating them with dignity. For example, the Sri Lankan *Daily Mirror* covered the work of a peace group: "The Peace Support Group in a statement signed by prominent activists (names) said it was abundantly clear that the electorate had endorsed a re-vitalization of the peace process and dialogue with the LTTE" ("A mandate for peace, grab it"; December 12, 2001).

The Kashmir coverage, which showed the most salient war journalism framing, was dependent on the following indicators (based on a frequency of 3,558): a focus on the here and now (15.4%), the use of elites as actors and sources (14.1%), a partisan approach (11.0%), and emphasis on differences (9.7%). The Sri Lankan newspapers' coverage of the Tamil Tigers, which exhibited the strongest peace journalism framing, was supported by the following indicators (based on a frequency of 1,148): an avoidance of good-bad label (13.5%), a non-partisan focus (12.9%), a multi-party orientation (10.4%), and a win-win approach (10.1%).

OTHER FINDINGS OF INTEREST

There was no relationship between story type (news, feature, or opinion) and distribution of war journalism and peace journalism stories, $\chi_2(6, N = 1,338) = 8.612$, $p < .197$. Of the 1,338 stories, 76.1% were "hard" news stories, 10.0% were features, 9.0% were opinion pieces including editorials, and 4.9% were "others" that included letters to the editor and speech transcripts. Whether a story was written as hard news, a feature, or an opinion piece had no bearing on the framing of the story. However, there was a positive correlation between story length (in paragraphs) and peace journalism ($r = .156$, $p < .001$). The longer the story, the more likely it was framed as peace journalism. Conversely, there was a negative relationship between story length and war journalism ($r = -.186$, $p < .001$). Conceivably, longer stories allow journalists time and effort to investigate an issue or event more fully and thoughtfully, and to go beyond reporting of facts into providing analysis.

Foreign wire stories contain more war journalism frames and fewer peace journalism frames than stories produced by local sources including the papers' own correspondents, $\chi_2(2, N = 1,338) = 7.964$, p<.05. About 10% of stories were produced by foreign wire services such as AP, CNN, BBC, Reuters, and AFP. That the majority—89.8%—were produced by local sources was unsurprising given the conflicts' local nature. Of the stories produced locally, 96.2% were written by the newspapers' own reporters, compared to 1.3% sourced from national news agencies, and 2.4% contributed by freelancers, academics, and the public. One explanation is that reporting by foreign wire services is less involved and more detached (as seen in the shorter stories; stories produced by local sources are significantly longer than stories produced by foreign wire services, $t(1,336) = 6.133$, p<.0005. The mean length of a locally sourced story is 12.98 paragraphs compared to 8.77 for a foreign wire story. Another explanation is that Western foreign news agencies tend to report violence and conflict more saliently than any other news from developing countries (e.g., Hachten, 1999; Hachten & Scotton, 2006; Hess, 1996; Riffe, Aust, Jones, Shoemaker, & Sundar, 1994; Rosenblum, 1979). The actions of foreign governments, when connected to violence and conflict, are more likely to be reported by U.S. media than other types of news. Not surprisingly, war journalism framing prevailed more in foreign wire copy than in local copy.

Following the study on Asian newspaper coverage of regional conflicts, we expanded our research to the coverage of the Iraq War and vernacular newspapers. The next section summarizes the findings of the three follow-up studies.

THE IRAQ WAR

Maslog et al. (2006) examined how the coverage of the war in Iraq by news organizations from India, Pakistan, Sri Lanka, Indonesia, and the Philippines was framed according to Galtung's principles of peace and war journalism. The findings, based on a content analysis of 442 stories from eight newspapers, suggest a slight peace journalism framing. Religion and sourcing are two significant factors shaping the framing of the conflict, and support for the war and for its protagonists (Americans/British vs. Iraqis). Newspapers from the non-Muslim countries, except the Philippines, have a stronger war journalism framing, and are more supportive of the war and of the Americans/British than the newspapers from the Muslim countries, which are more supportive of the Iraqis. Stories from foreign wire services have a stronger war journalism framing—consistent with earlier findings—and show more support for the war and for the Americans/British than stories written by the papers' own correspondents.

COMPARING ASIAN CONFLICTS AND THE IRAQ WAR

Lee et al. (2006) examined the coverage of the War in Iraq and Asian conflicts by eight Asian newspapers to compare the framing of two different levels of conflicts—international and local. A content analysis of 1,558 stories from India, Pakistan, Sri Lanka, the Philippines, and Indonesia on the war in Iraq and their own local conflicts showed that the Asian press used a war journalism frame in covering local conflicts but deployed a peace journalism frame in covering the war in Iraq. Hard news was dominated by war journalism framing, while features and opinion pieces were shaped by peace journalism. Foreign-sourced stories from wire services contained more war journalism frames and fewer peace journalism frames than locally-produced stories written by the papers' own correspondents, again supporting the findings of the previous two peace journalism studies.

THE VERNACULAR PRESS

The earlier studies discussed above focused on English-language Asian newspapers but the fourth study (Kim et al., 2009) concentrated on the vernacular press. In many Asian countries, the Western-language press has a long history harking back to Western colonial rule. Despite stiff competition from their vernacular counterparts, the English-language papers continue to be viewed as status symbols, with strong circulations and advertising revenues. Although the vernacular press is perceived as being less metropolitan and sophisticated, and is often marginalized from the mainstream media, it plays a significant role in shaping mass opinion because it includes the largest-circulation newspapers in the respective countries (Waslekar, 1995). It has been suggested that vernacular newspapers, unlike the national-level media in Asia (that most English-language newspapers belong to), are more likely to be swayed by communal feelings to the extent of inciting violence with irresponsible reporting (Chenoy, 2002; Khan, 2003; Press Council of India, 2003).

Kim et al. (2009) examined the peace/war journalism framing of three Asian conflicts—Kashmir, the Tamil Tiger movement, and the Aceh/Maluku civil wars—by eight vernacular newspapers from India, Pakistan, Sri Lanka, and Indonesia. The findings from the content analysis of 864 stories support the results of the previous studies. First, the coverage of the conflicts was dominated by war journalism framing, the strongest of which is the case of Kashmir that generated the strongest war journalism framing among four regional conflicts analyzed in the study of 10 English-language Asian newspapers. Second, the most salient indicators of peace journalism included avoidance of emotive language, avoidance of demonizing language, people-orientation, and non-partisanship, while the most salient indicators of war journalism included focus on the here and now, dichotomy of the good and the bad, elite-orientation, and focus on differences. Third, there were significant relationships between war/peace journalism framing and story attributes. Stories that are longer and are written as features and opinion pieces instead of shorter or hard news were more likely to be framed as peace journalism.

IMPLICATIONS AND DIRECTIONS FOR FUTURE RESEARCH

As exploratory research, the four studies of Asian English-language and vernacular presses operationalized and measured the principles of peace journalism advanced by Johan Galtung—ideas that have garnered only normative and anecdotal discussion. It is hoped that the findings and subsequent work can help mass media training institutions to customize peace journalism programs, and build a case for offering such courses, as well as generate hypotheses for examining the framing effects of war/peace journalism on public opinion and policy-making.

Clearly, the coverage of the four Asian conflicts is dominated by war journalism. Pakistan and India, embroiled in a decades-old territorial battle over Kashmir, have demonstrated through their five newspapers that media adopt a knee-jerk, unreflecting kind of coverage of conflicts, with little consideration for long-term, peaceful solutions. The strong war journalism framing by Indian and Pakistani papers is not unexpected; the two countries have fought three wars, including two over the mostly Muslim region of Kashmir, which was divided between them after independence from Britain in 1947. Among the conflicts examined, Kashmir is the most acrimonious, involving not only the divisive factor of religion but also the minefield of national sovereignty, demonstrating that a country's media are not likely to remain neutral in a conflict involving its government (see Bennett, 2003; Carruthers, 2000; Hiebert, 2003; Keeble, 1998; Knightley, 1975, 2004; Reese & Buckalew, 1994; Van Ginneken, 1998). In the study that compared the framing

of local and international, the Asian newspapers relied on war journalism framing to cover local conflicts, but used peace journalism framing to cover the Iraq War. Conceivably, the coverage of a local conflict reflected its government's stand, be it in a war against another country or against rebels within the country's borders. Conversely, the five Asian countries' lack of direct involvement in the war in Iraq may have permitted their newspapers to adopt a more detached and conciliatory stance. The overall strong peace journalism framing could also be attributed to the widespread objection in the Asian countries to the U.S.-led military action in Iraq, and a desire among Asian governments to see a more peaceful resolution to the situation in Iraq. Despite assertions of objectivity among journalists, coverage of war is often shaped by national interest, which is perhaps the biggest obstacle to peace journalism.

The case of Sri Lanka may offer some encouragement to peace journalists. That a significant number of stories were framed as peace journalism may be surprising for a country that has faced two decades of violence. A possible explanation is the fact that the August 1, 2001 to February 28, 2002 period of analysis overlapped with government and LTTE efforts to negotiate for a peace treaty under international pressure, although violence persisted. Are peace journalism stories a simple reaction to developments in a conflict (i.e., ongoing negotiations) or genuine, self-conscious intervention by journalists to help promote peace? Journalists may find it difficult to escape the influence of context. The shift from war journalism framing to peace journalism by Sri Lankan papers after the December 2001 ceasefire agreement may reflect a conscious effort by journalists to promote peace through peace journalism. But it is also possible that the change of government and attendant changes in policy toward the LTTE could have motivated journalists' peaceful disposition. Certainly, the measure of a true peace journalist lies in his work *during* a conflict, not *after* the conflict. There is an extensive body of literature documenting governmental influence on the work of journalists in conflicts (e.g., Bennett, 2003; Carruthers, 2000; Combs, 1993; Hiebert, 2003; Keeble, 1998; Lawrence, 2006; Lynch, 2003a, 2003b; Reese & Buckalew, 1994). One small dose of comfort does come from the *Daily Mirror*'s strong peace journalism framing prior to the ceasefire although the true picture for the *Daily News & Sunday Observer*'s strong war framing prior to the ceasefire is less clear.

What is clear is that media outlets within the same cultural and political context do not frame the same event the same way. Another example of context-shaped coverage is the *Jakarta Post's* dissimilar framing of the Maluku and Aceh conflicts. At the time of the study, the Indonesian government and the GAM (Free Aceh Movement) were on their way to the negotiating table. The Swiss-based Henry Dunant Centre brokered a peace deal between the two parties on December 9, 2002, a major breakthrough in 26 years of hostilities. Hence, a stronger peace journalism framing was evident in the coverage of Aceh. In the case of Maluku, the conflict was still raging, hence the stronger war journalism framing. Similarly the higher number of peace journalism stories in the Asian newspapers' coverage of the Iraq War was encouraging but peace journalism is a self-conscious concept. The peace journalism framing of the Iraq War may be more reflective of caution in reporting a controversial military engagement initiated by a superpower in a distant land than genuine desire to promote peace and seek solutions. More research is needed, especially at the levels of news gate keeping.

Although there are promising signs in the use of peace journalism frames in Sri Lanka and the Philippines, and in the Asian newspapers' coverage of the Iraq War, a closer examination of the patterns of war journalism and peace journalism indicators reveals that peace journalism framing is still highly dependent on criteria of a less interventionist nature, for example, an avoidance of good-bad labels, a non-partisan approach, a multi-party orientation, and an avoidance of demonizing language. These four indicators, although important in the overall scheme of peace journalism laid out by Galtung, are mere extensions of the objectivity credo: reporting the facts as they are. Galtung (1998b) believed that truth telling as a guiding journalistic principle in war reporting is simply inadequate: "[T]ruth journalism alone is not peace journalism." These

indicators do not truly exemplify a strong contributory, pro-active role by journalists to seek and offer creative solutions and to pave a way for peace and conflict resolution. For example, journalists often simplify storytelling by allowing only a set of villains and a set of victims. The inclusion of a multi-party orientation is a significant step forward in the peace journalism calculus but it does not take the story significantly beyond reporting the facts or telling the truth.

Journalists' dependence on peace journalism practices that are less interventionist in nature can be explained by the dominance of the libertarian notion of the public sphere as a value-free area where individuals freely exploit a wealth of disparate information based on their own personal interpretations and needs. In such a public sphere, the values and identities of individuals, including that of journalists and their work, are obscured by professional aspirations to facilitate purely utilitarian relationships based on satisfying individual/professional goals without adequate consideration for universal protonorms such as nonviolence and respect for human dignity. Unlike the libertarian tradition, the communitarian ethic openly accepts the peace journalist as an interventionist—insofar as that intervention allows the inclusion of a journalist's values and participation in a community's dialogue, consensus building, civic transformation, and a commitment to social justice. In the controversy over peace journalism one sees the clash between two different levels of values—universal and professional, that is best captured by the fundamental question: Am I a human being first or a journalist first? In principle, peace journalism is closer to Carol Gilligan's ethics of care than the more established ethics of justice. In seeking conflict resolution, peace journalism avoids dichotomizing between the victims and the villains, and emphasizing the differences between them. Instead it prefers to focus on their common ground and sustainable relationships; most customary practices of settling disputes (assigning blame, vilifying the wrongdoer, and righting wrongs with punitive actions) are merely short-term solutions that do not lead to genuine reconciliation and lasting peace.

In the four studies, the pattern of salient indicators supporting the peace journalism frame consistently falls short of Galtung's characterization of peace journalism as an advocacy and interpretive approach oriented in peace-conflict, people, truth, and solution. While there is some demonstration of the journalists' deeper understanding of the conflict by mapping it out as consisting of many parties, there is little in terms of a solution-seeking approach, and more disappointingly, not many peace journalism stories are supported by a people-orientation. With little focus on ordinary people and treating them with dignity, and without finding out what whether their position as stated by the elites are reflective of the true feelings on the ground, there is little that journalists can do to empower the ordinary people. The work of journalists follows predictable rituals, and reliance on elites and on official sources that they perceive to be authoritative, credible, knowledgeable, and powerful, is one of them. In a meta-analysis, Gouse, Valentin-Llopis, Perry, and Nyamwange (2018) found that peace journalism studies most often assessed media by using the war/peace indicator of elite-oriented versus people-oriented. This is an encouraging trend, but the fact remains that peace journalism cannot be understood based on one indicator alone. In our studies, the peace journalism frame also did not receive adequate support in terms of journalists focusing on a conflict's causes and consequences. Without this understanding, solutions—and social justice—are hard to come by.

The relationships between peace journalism and story attributes such as sourcing, length, and type of story need further investigation. Why does the war journalism frame prevailed more in foreign wire services copy than in locally produced copy? The finding of significant differences in war/peace journalism frames between the locally-produced stories and foreign wire stories is supported by the literature (e.g., Hachten, 1999; Hess, 1996; Riffe, Aust, Jone, Shoemaker, & Sundar, 1994; Rosenblum, 1979). Foreign wire copy or the stories originating from Western news agencies tend to emphasize war/conflict/violence. Foreign news is preoccupied with conflict and violence in which developing nations are described as the scenes of disasters or violence.

One could argue that published foreign wire stories may reflect to some extent a newspaper's framing of the War in Iraq as some gate keeping is involved in selecting which foreign wire stories are published and which are not. In general, however, foreign wire copy, according to newsroom routines, are used to describe and convey daily situation updates of the war, and do not undergo much editing. The positive relationships between hard news and war journalism framing, and between features/opinions and peace journalism framing suggest that the inverted pyramid style of writing and an overemphasis on objectivity and traditional news values such as conflict and violence, other than national interest, may be major obstacles to peace journalism.

If peace journalism were to succeed, journalists must first reassess their notions of hard news, objectivity and traditional news values. The relationship between story length and war/peace journalism framing suggests that with longer stories, journalists have more opportunities to investigate an issue or event more fully and thoughtfully. Longer stories allow journalists to move beyond reporting of facts into analysis and interpretation, and exploration of the causes and alternatives (as supported by the significant relationships between features/opinion pieces and peace journalism framing). However, newshole allotment to war reporting is a complex affair, subject to not only editorial judgment but also economic considerations, given a shrinking newshole and a shift of focus to entertainment and celebrity news. In the case of the American media, Sept 11 marked a turning point: the shrinking newshole for foreign news became a story of the past as the terrorist threat from abroad and U.S. military involvement in Afghanistan and Iraq renewed interest in foreign news and increased foreign news coverage. But in reality, these stories continued to rely on traditional news values—conflict and American interest—and are little more than American news with a foreign dateline as aptly described by Larson (1984).

Several research papers have attempted to apply peace journalism to breaking news, but this category of news, characterized by their brevity and main function in the news business as information updates, may not be the best unit of analysis. The practice of peace journalism requires a significant amount of journalistic reflection and analysis—elements typically not found in breaking news. Future research should also consider television news, and attempt to apply Galtung's framework to visual images of war. Many of the coding categories used for assessing narrative content were conceived by Galtung as a form of pre-publication criteria, suggesting that another potential locus of research lies in the newsgathering stage.

Many studies have conveyed the concept of framing as an unconscious act (shaped by journalistic routines, social norms and values, time pressures, organizational culture and constraints, etc.; see Shoemaker & Reese, 1996; Tuchman, 1978) but theoretically, framing studies have neglected to explore framing as a conscious act by journalists. As noted by Gamson (1989), the motives behind a journalist's framing of the news can be unconscious, but may also involve intent. Scheufele (1999) rightly observed that this particular link between journalists' individual-level variables and media frames "deserves more attention than it has received" (p.117). The concepts of reciprocity, intent and motive in news framing—with the attendant implications—warrant a closer examination, especially in the news coverage of war, where a potent cocktail—national interest, patriotism, religious differences, censorship, propaganda—can be found.

Framing effects research has found that news consumers respond to journalists' framing of a socially important event rather than to the actual event itself. Peace journalism, as a conscious and deliberate act by journalists, can offer significant insights on a hitherto unexplored aspect of framing theory. Indeed, if framing can be a conscious act involving intent, journalists must then confront the issues of moral accountability, and can no longer seek refuge in the notion that how they cover the news is merely shaped by journalistic routines, social norms, and organizational cultures and constraints that are beyond their control. Tehranian (2002) suggests that the locus of media ethics be expanded from the individual journalist to institutions, nation-states and international communities in order to advance peace journalism. This is a laudable proposal indeed,

as more is needed institutionally, be it in the form of infrastructure or sanction, to support ethical journalistic work. But until journalists covering war and conflict are willing to acknowledge and overcome their internal biases and external influences, rethink their over-reliance on objectivity and detachment, and break free of the professional shackles that detract from universal pro-to-norms of nonviolence and respect for human dignity, peace journalism will always remain a child of its time, never to come of age.

APPENDIX 24.1
Coding Categories

War journalism approach	Peace journalism approach
1. Reactive (waits for war to break out, or about to break out, before reporting)	1. Proactive (anticipates, starts reporting long before war breaks out)
2. Reports mainly on visible effects of war (casualties, dead and wounded, damage to property)	2. Reports on the invisible effects of war (emotional trauma, damage to society and culture)
3. Elite-oriented (focuses on leaders and elites as actors and sources of information)	3. People-oriented (focuses on common people as actors and sources of information)
4. Focuses mainly on differences that led to the conflict	4. Reports the areas of agreement that might lead to a solution to the conflict
5. Focuses mainly on the here and now	5. Reports causes and consequences of the conflict
6. Dichotomizes between the good guys and bad guys, the victims and villains	6. Avoids labeling of good guys and bad guys
7. Two-party orientation (one party wins, one party loses)	7. Multi-party orientation (gives voice to many parties involved in conflict)
8. Partisan (biased for one side in the conflict)	8. Non-partisan (neutral, not taking sides)
9. Zero-sum orientation (one goal: to win)	9. Win-win orientation (many goals and issues; solution-oriented)
10. Stops reporting with the peace treaty signing and ceasefire, and heads for another war elsewhere	10. Stays on and reports aftermath of war—the reconstruction, rehabilitation, and the implementation of peace treaty

Language	
11. Uses victimizing language (e.g., destitute, devastated, defenseless, pathetic, tragic, demoralized) which only tells what had been done to people	11. Avoids victimizing language, reports what has been done and could be done by people, and how they are coping
12. Uses demonizing language (e.g., vicious, cruel, brutal, barbaric, inhuman, tyrant, savage, ruthless, terrorist, extremist, fanatic, fundamentalist)	12. Avoids demonizing language (and uses more neutral and precise descriptions, titles or names)
13. Uses emotive words (e.g., genocide, assassination, massacre, and systematic)	13. Objective and moderate (avoids emotive words, reserves the strongest language only for the gravest situation, and does not exaggerate)

NOTE

1.   The stories, content analysed by six mass communication graduate students, were harvested from the most recent peak periods of the conflicts (some of which date back at least five decades) at the time of the study. When the number of peace journalism indicators exceeded the indicators for war journalism, the story was classified as peace journalism. When our journalism indicators exceeded peace journalism indicators, the story was classified as war journalism. Equal scores denoted neutral stories. The war journalism index ranged from 0 to 13, with a mean of 3.90 and a standard deviation of 2.60 (Cronbach's

alpha = .72). The peace journalism index ranged from 0 to 13, with a mean of 2.98 and a standard deviation of 2.73 (Cronbach's alpha = .78). Other variables studied include the story type (news, feature, or opinion), story length, and source (local, foreign/national news agencies, wire service). In terms of intercoder reliability, a coding of 100 stories produced Scott's pi between .76 and .93, with only one indicator (continuity of reports) recording a value of below.

REFERENCES

Abubakar, A. T. (2019). News values and the ethical dilemma of covering violent extremism. *Journalism and Mass Communication Quarterly*. Advance online publication. doi:10.1177/1077699019847258.

Allan, S., & Zelizer, B. (Eds.). (2004). *Reporting war: Journalism in wartime*. London and New York: Routledge.

Allen, T., & Seaton, J. (1999). *The media of conflict: War reporting and representations of ethnic violence*. London: Zed Books.

Bennett, W. L. (2003). Operation perfect storm: The press and the Iraq War [Electronic version]. *Political Communication Report*, *13*(3). Retrieved February 10, 2007, from www.ou.edu/policom/1303_2003_fall/Bennett.htm

Carruthers, S. L. (2000). *The media at war: Communication and conflict in the twentieth century*. New York: St Martin's Press.

Chenoy, A. M., (2002, June 4). Gujarat carnage: The politics of gender in the politics of hate Anuradha M. Chenoy. *Aman Ekta Manch Digest*, *3*. Retrieved November 7, 2006, from www.onlinevolunteers.org/gujarat/news/articles/gender-politics.htm

Christians, C. G., Ferré, J., & Fackler, P. (1993). *Good news*. New York: Oxford University Press.

Combs, J. (1993). From the great war to the gulf war. In R. Denton (Ed.), *Popular entertainment and the legitimation of warfare: The media and the Persian Gulf War* (pp. 277–284). Westport, CT: Praeger.

Conflict and Peace Forums. (2002). Reporting the world. Retrieved May 23, 2003, from www.transcend.org/Peace%20Journalism%205.doc

Dardis, F. E. (2006, October/December). Military accord, media discord: A cross-national comparison of UK vs. US press coverage of Iraq War protest. *International Communication Gazette*, *68*(5–6), 409–426.

Devere, H. (2017). Is peace journalism the moral responsibility of journalists? In O. Urbain (Ed.), *Risk and uncertainty* (pp. 135–163). New York: Taylo & Francis.

Dimitrova, D. V. (2006, Fall). Episodic frames dominate early coverage of Iraq War in newyorktimes.com. *Newspaper Research Journal*, *27*(2), 79–83.

Entman, R. (1991). Framing U.S. coverage of international news: Contrasts in narratives of the KAL and Iran Air incidents. *Journal of Communication*, *41*(4), 6–27.

Entman, R. (1993). Framing: Toward clarification of a fractured paradigm. *Journal of Communication*, *43*(4), 51–58.

Galtung, J. (1968). Peace. In D. Sills (Ed.), *International encyclopedia of social sciences* (pp. 487–496). New York: Macmillan.

Galtung, J. (1986). On the role of the media in worldwide security and peace. In T. Varis (Ed.), *Peace and communication* (pp. 249–266). San Jose, Costa Rica: Universidad para La Paz.

Galtung, J. (1998a, December 1,). High road, low road: Charting the course for peace journalism. *Track Two*, *7* (4). Retrieved February 10, 2007, from http://ccrweb.ccr.uct.ac.za/archive/two/7_4/p07_highroad_lowroad.html

Galtung, J. (1998b, September 3–6)Peace journalism: What, why, who, how, when, where. *Presented in the workshop "What are journalists for?" TRANSCEND*, Taplow Court.

Galtung, J. (2000). The task of peace journalism. *Ethical Perspectives*, *7*(2–3), 162–167.

Galtung, J. (2002). Media: Peace journalism. Retrieved September 25, 2003, from www.nicr.ca/programs/PeaceJournalism.htm

Gamson, W. A. (1989). News as framing: Comments on Graber. *American Behavioral Scientist*, *33*, 157–166.

Gamson, W. A. (1992). *Talking politics*. New York: Cambridge University Press.

Gouse, V., Valentin-Llopis, M., Perry, S., & Nyamwange, B. (2018). An investigation of the conceptualization of peace and war in peace journalism studies of media coverage of national and international conflicts. *Media, War & Conflict*. Advance online publication. doi: 10.1177/1750635218810917.

Hachten, W. A. (1999). *The world news prism: Changing media of international communication*. Ames, Iowa: University of Iowa Press.

Hachten, W. A., & Scotton, J. (2006). *The world news prism: Global information in a satellite age* (7th ed.). Boston, MA: Blackwell.

Hackett, R. A. (1989, 1989). *Spaces for dissent: The press and the politics of peace in Canada. Paper presented at the annual conference of the international communication association*, San Francisco.

Haig, M. M., Pfau, M., Danesi, J., Tallmon, R., Bunko, T., Nyberg, S., Temple, B. (2006). A comparison of embedded and nonembedded print coverage of the U.S. invasion and occupation of Iraq. *The Harvard International Journal of Press/Politics*, *11*(2), 139–153.

Hallin, D. C. (1986). *The uncensored war*. New York: Oxford University Press.

Hallin, D. C. (1987). Hegemony: The American news media from Vietnam to El Salvador, a study of ideological change and its limits. In D. Paletz (Ed.), *Political communication research* (pp. 3–25). Nor-wood, NJ: Ablex.

Hallin, D. C., & Gitlin, T. (1994). The Gulf war as popular culture and TV drama. In W. L. Bennett & D. L. Paletz (Eds.), *Taken by storm: The media, public opinion, and U.S. foreign policy in the Gulf War* (pp. 149–163). Chicago: University of Chicago Press.

Hess, S. (1996). *International news and foreign correspondents*. Washington, DC: Brookings Institute.

Hiebert, R. E. (2003). Public relations and propaganda in framing the Iraq War: A preliminary review [Electronic version]. *Public Relations Review*, *29*, 243–255.

Horvitt, B., Cortés-Martinez, C. A., & Kelling, K. (2018). 23 Journalism, war, and peace. *Journalism*, *19*, 453.

Iggers, J. (1998). *Good news, bad news: Journalism ethics and the public interest*. Boulder, CO: West-view.

Iyengar, S. (1991). *Is anyone responsible? How television frames political issues*. Chicago, IL: University of Chicago Press.

Iyengar, S., & Simon, A. (1994). News coverage of the Gulf crisis and public opinion. In W. L. Bennett & D. L. Paletz (Eds.), *Taken by storm: The media, public opinion, and U.S. foreign policy in the Gulf War* (pp. 167–186). Chicago: University of Chicago Press.

Jasperson, A. E., Shah, D. V., Watts, M., Faber, R. J., & Fan, D. P. (1998). Framing and the public agenda: Media effects on the importance of the federal budget deficit. *Political Communication*, *15*, 205–224.

Keeble, R. (1998). Not the Gulf war: A study of the UK press coverage of the 1991 and 1998 Iraq crises. In P. Lee (Ed.), *The media and the Persian Gulf War* (pp. 5–15). London: World Association for Christian Communication.

Khan, T. (2003, September 23). *Small town news: Gujarat in the media and memory of Aligarh*. Unpublished M.A. thesis, University of London. Retrieved February 7, 2007, from http://bocs.hu/India/taran-khan-disstn.htm

Kim, H. S., Lee, S. T., & Maslog, C. C. (2009, January). Peacemakers or warmongers? Asian news media coverage of conflicts. *Journal of Global Mass Communication*, 1 (3/4), 251–270.

Knightley, P. (1975). *The first casualty*. New York: Harcourt Brace Jovanovitch.

Knightley, P. (2004). *The war correspondent as hero and myth-maker from the Crimea to Iraq*. Baltimore, MD: Johns Hopkins University Press.

Lang, G. E., & Lang, K. (1994). The press as prologue: Media coverage of Saddam's Iraq 1979–1990. In W. L. Bennett & D. L. Paletz (Eds.), *Taken by storm: The media, public opinion, and U.S. foreign policy in the Gulf War* (pp. 43–62). Chicago: University of Chicago Press.

Larson, J. F. (1984). *Television's windows on the world: International affairs coverage on the U.S. networks*. Norwood, NJ: Ablex.

Lawrence, R. (2006, April–June). Seeing the whole board: New institutional analysis of news content. *Political Communication*, *23*(2), 225–230.

Lee, S., & Maslog, C. C. (2005, June). War or peace journalism? Asian newspaper coverage of regional conflicts. *Journal of Communication*, *55*(2), 311–329.

Lee, S., Maslog, C. C., & Kim, H. (2006, November). Asia's local conflicts and the war in Iraq: A comparative framing analysis. *The International Communication Gazette*, *68*(5–6), 499–518.

Lukacovic, M. N. (2016). Peace journalism and radical media ethics. *Conflict and Communication*, *15*(2). Retrieved from www.cco.regener-online.de/2016_2/pdf/lukacovic2016.pdf

Lynch, J. (1998). The peace journalism option. *Conflict and Peace Forums*. Retrieved May 20, 2003, from www.conflictandpeace.org/6pub/3pub.html

Lynch, J. (1999). What are journalists for? *Conflict and Peace Forums*. Retrieved May 20, 2003, from www.conflictandpeace.org/6pub/2pub.html

Lynch, J. (2000). Using conflict analysis in reporting. *Conflict and peace forums*. Retrieved May 20, 2003, from www.transnational.org/features/2000/LynchPart1.html

Lynch, J. (2003a, February 19). *Iraq: Broadening the agenda*. Retrieved October 16, 2003, from www.basicint.org/iraqconflict/Pubs/Discussion%20Papers/DS190203.htm

Lynch, J. (2003b, July 15). *Reporting Iraq: What went right?* Retrieved October 16, 2003, from www.basicint.org/iraqconflict/Pubs/Discussion%20Papers/DS080903.htm

Lynch, J., & McGoldrick, A. (2006). *Peace journalism*. London: Hawthorn Press.

Maslog, C. C. (1990). *A manual on peace reporting in Mindanao*. Manila: Philippine Press Institute.

Maslog, C. C., Lee, S., & Kim, H. (2006, March). Framing analysis of a conflict: How five Asian countries covered the war in Iraq. *Asian Journal of Communication*, *16*(1), 19–39.

McCombs, M. (1994). The future agenda for agenda setting research. *Journal of Mass Communication Studies*, *45*, 171–181.

McCombs, M., & Bell, T. (1996). The agenda-setting role of mass communication. In M. Salwen & D. Stacks (Eds.), *An integrated approach to communication theory and research* (pp. 93–110). Mahwah, NJ: Erlbaum.

McCombs, M., & Evatt, D. (1995). Los temas y los aspectos: Explorando una nueva dimension de la agenda setting. [Objects and indicators: Exploring a new dimension of agenda-setting.]. *Communication Y Sociedad*, *8*(1), 7–32.

McCombs, M., Lopez-Escobar, E., & Llamas, J. P. (2000). Setting the agenda of indicators in the 1996 Spanish General Election. *Journal of Communication*, *50*(2), 77–92.

McCombs, M., Shaw, D. L., & Weaver, D. (1997). *Communication and democracy: Exploring the intellectual frontiers in agenda-setting theory*. Mahwah, NJ: Erlbaum.

McGoldrick, A., & Lynch, J. (2000). *Peace journalism—How to do it*. Retrieved on June 2, 2003, from www.transcend.org/pjmanual.htm

McLeod, D. M., & Detenber, B. H. (1999). Framing effects of television news coverage of social protest. *Journal of Communication*, *49*, 3–23.

Michael, R. (2006). Mainstream news media, an objective approach, and the march to war in Iraq. *Journal of Mass Media Ethics*, *21*(1), 4–29.

Paul, C., & Kim, J. J. (2004). *Reporters on the battlefield: The embedded press system in historical context*. Pittsburgh, PA: Rand Corporation.

Pedelty, M. (1995). *War stories: The culture of foreign correspondents*. New York: Routledge.

Pfau, M., Haigh, M., Gettle, M., Donelly, M., Scott, G., Warr, D., & Wittenberg, E. (2004). Embedding journalists in military combat units: Impact on newspaper story frames and tone. *Journalism & Mass Communication Quarterly*, *81*(1), 74–88.

Press Council of India. (2003). *Communal violence in Gujarat: Role of the media*. Retrieved on November 6, 2005, from www.hvk.org/specialrepo/pci/

Price, V., Tewksbury, D., & Powers, E. (1997). Switching trains of thought: The impact of news frames on readers' cognitive responses. *Communication Research*, *24*, 481–506.

Reese, S., & Buckalew, B. (1994, March). The militarism of local television: The routine framing of the Persian Gulf war. *Critical Studies in Mass Communication*, *12*(1), 40–59.

Riffe, D., Aust, C., Jones, T., Shoemaker, B., & Sundar, S. (1994). The shrinking foreign news hole of the New York Times. *Newspaper Research Journal*, *15*(3), 74–88.

Rosenblum, M. (1979). *Coups and earthquakes: Reporting the third world for America*. New York: Harper & Row.

Scheufele, D. A. (1999). Framing as a theory of media effects. *Journal of Communication*, *49*(1), 101–120.

Schuck, A. R. T., & de Vreese, C. H. (2006). Between risk and opportunity: News framing and its effects on public support for EU enlargement. *European Journal of Communication*, *21*(1), 5–32.

Seib, P. (2004). *Beyond the front lines: How the news media cover a world shaped by war*. New York: Macmillan.

Shoemaker, P., & Reese, S. (1996). *Mediating the message: Theories of influences on mass media content* (2nd ed.). White Plains, NY: Longman.

Sotirovic, M. (2000). Effects of media use in audience framing and support for welfare. *Mass Communication and Society*, *3*, 269–296.

Tankard, J., Hendrickson, L., Silberman, J., Bliss, K., & Ghanem, S. (1991, August). Media frames: Approaches to conceptualization and measurement. *Paper presented at the annual convention of the association for education in journalism and mass communication*, Boston, MA.

Tehranian, M. (2002). Peace journalism: Negotiating global media ethics. *The Harvard International Journal of Press/Politics*, *7*(2), 58–83.

Thorson, E. (2006). Print news and health psychology. *Journal of Health Psychology*, *11*(2), 175–182.

Toffler, A., & Toffler, H. (1994). *War and anti-war: Survival at the dawn of the 21st century*. Boston, MA: Little, Brown.

Tuchman, G. (1978). *Making news: A study in the construction of reality*. Beverly Hills, CA: Sage.

Van Ginneken, J. (1998). *Understanding global news: A critical introduction*. Thousand Oaks, CA: Sage.

Waslekar, S. (1995). *Track-two diplomacy in South* Asia. *Bombay, India: International center for peace initiatives*. Retrieved November 6, 2005, from www.acdis.uiuc.edu/Research/OPs/Waslekar/Waslekar.pdf

Willnat, L., Aw, A., Hamdy, N. N., He, Z., Menayang, V., La Porte, M. T., … Tamam, E. (2006). Media use, anti-Americanism and international support for the Iraq war. *International Communication Gazette*, *68*(5–6), 533–550.

Wolfsfeld, G. (1997). Promoting peace through the news media: Some initial lessons from the peace process. *Harvard International Journal of Press/Politics*, *2*(2), 52–70.

Youngblood, S. (2016). *Peace journalism principles and practices*. New York: Routledge.

Zhang, S. I. (2015). Chinese-style pragmatic objectivity in war reporting. *Asian Journal of Communication*, *25*(2), 178–196.

25

Toward an Institution-based Theory of Privacy

Lee Wilkins and Philip Patterson

In the twenty-first century—an era dominated by U.S.-based information and entertainment conglomerates—law, ethics and technology intersect over the issue of privacy in far reaching and sometimes confusing ways. This chapter acknowledges that while thinking about the notion of privacy emerges from philosophy, this philosophical thinking has been applied through the creation of law and other documents that carry the force of law to form the current notion of a "right to privacy." In working toward an institution-based theory of privacy, this chapter begins by accepting that, when it comes to clear thinking about privacy, law and ethics must be connected. It rejects Immanuel Kant's assertion that law and ethics are "two distinct and non-intersecting" intellectual responses to human problems, a stance also supported by more contemporary thinkers (Fletcher, 1987). And, while some scholars have sought to make this connection through the work of Jürgen Habermas, as reviewed by Glasser and Weiland in this *Handbook*, this chapter employs feminist epistemology (Koehn, 1998)—allowing ethics issues to emerge from authentic life experiences—to connect both law and ethics to the role that technology now plays in how people, and the machines that they program and control, consider privacy. By triangulating the "issue" of privacy in this way, this effort also calls for additional theorizing about how privacy might be defined and how people in their intersecting roles as citizens, consumers and media practitioners should think about the concept. It also takes a first step in that theoretical direction.

But, to begin, the chapter reviews how philosophy and ethics provide a basis for the law of privacy and a way of both understanding and critiquing the law. The origin of the word "philosophy"—a love of knowing—foreshadows the fact that deciding "who should know what and when," (in other words the components of privacy) are deeply rooted in philosophy.

PRIVACY: THE PHILOSOPHICAL ROOTS

Thinking about privacy began with the Greeks and has focused on two understandings about human beings and community that are not only more than 3,000 years old but also as current as Facebook content. The Greeks wrote that the concept of privacy was rooted in *information about the individual*. It was among the elements of human dignity and autonomy as initially defined in the Greek philosophical tradition. They also linked privacy to the *context in which*

that information is understood—the term context meaning a tightly constrained circle of human beings who are aware of the information. Context implies human beings living in a community, and that element of community is important when thinking about privacy in this 21st century. We will return to it after some additional concepts are clarified.

To begin, there is a distinction between privacy and secrecy: secrets are known by a single person only, private information is tightly held among a specific human and intimate circle. Philosopher Sissela Bok (1983, pp. 10–11) defined privacy as "the condition of being protected from unwanted access by others—either physical access, personal information or attention." Judge Alan Westin (1967) calls privacy "the claim of individuals, groups, or institutions to determine for themselves when, how, and to what extent information about them is communicated to others" (p. 7).

Perhaps this example will help clarify the distinction. Dreams are secret—they are known only to the dreamer. A rape is private—it is known to at least two people: the rapist and the victim. In contemporary cultures, many hope that a rape is also known to the police or other law enforcement authorities, to the doctors and other medical personnel who treated the victim, and to the victim's loved ones, who may be helping the victim recover physically and psychologically. But, with this particular crime, that is where the "knowing" should stop. The rape should not be known to the cashier at the grocery store who recognizes the name on a debit card because the cashier saw a report of the story on a local television newscast or received a tweet about the story from a friend.

Expanding on the work of Bok, people do not need to demand secrecy in order to desire privacy. In the case of *Dietemann v. Time Inc*. (449 F. 2d245) (1971), Judge Alan Westin awarded damages to a man (Dietemann) whose privacy had been invaded by investigative reporters for *Life* magazine. Westin said: "The claim is not so much one of total secrecy as it is of the right to define one's circle of intimacy—to choose who shall see beneath the quotidian mask."

The visual image of "circles of intimacy" illustrates the concept. Imagine standing at the center of a series of concentric circles of intimacy in which your relationships get more distant as the circle radiates out and gets larger. In the center is just you—your fantasies, hopes, memories—some articulated, some not. You can choose to share these thoughts or keep them to yourself. The choice is yours—something that was taken away in George Orwell's novel, *1984*, or in the contemporary novels and films based on *The Hunger Games* trilogy.

In the second circle are you and another person of your choosing. It could be a spouse, sometimes a professional, such as a member of the clergy, a lawyer, a roommate, a doctor, or a college counselor. In fact, most people have multiple "you + 1 circles" going simultaneously and for different reasons. In this second circle you share intimacies that you want only the one other person to know; the context in which these intimacies are shared is also an intimate one. The relationship rests on trust, trust that a confidante will neither betray the trust nor use the revelation to your disadvantage. U.S. law recognizes the importance of these primary relationships.

The third circle includes others–family, roommates, close friends, teammates, and so forth. People in this circle know things about you that you would not want to be "public" knowledge. Reciprocity forms the glue that holds this circle together. Again, the key moral ingredient is control over who does and does not get access to private information and the assurance that those who do have access also have the deep knowledge with which to interpret it.

As the circles enlarge, the numbers of potential confidants gets larger and control over the information decreases. The image extends to the outermost imaginable circle—all humanity. There are some things about yourself that you would not object to all humanity knowing. Those things constitute your most "public" self. Various U.S. laws recognize this outer circle such as the "directory information" exclusion in FERPA laws that govern strict privacy in educational

records but allow for an outer ring of information that would typically be known to anyone with access to an online student directory.

In modern society, as people willingly disgorge increasing amounts of information in digital spaces such as Facebook, we lose control of our circles of intimacy. Items once at the core of our being are now flung to the fringes for the world to see. In the Dietemann case, Dietemann welcomed reporters into his home under false premises. When his solitude was disrupted by the resulting story (it was about medical quackery, and Dietemann was implicated), neither the story's veracity nor its social importance could "redeem" the lies told by the reporters to get the story.

Thinking about privacy philosophically has prompted scholars to develop four different types of potential harms when privacy is invaded (Nissenbaum, 2008): informational harm (such as identity theft), informational inequality, (such as governments and corporations amassing large amounts of data about individuals without their knowledge or consent), informational injustice (for example, transferring data from your financial records to the local newspaper without appropriate contextual information) and encroachment on moral autonomy, "the capacity to shape our own moral biographies, to reflect on our moral careers, to evaluate and identify with our own moral choices, without the critical gaze and interference of others" including pressures to conform to social norms (van den Hoven, 2008, p. 439). Three of these harms implicate powerful institutions and technology, something that philosophy with its focus on individual autonomy and accountability, historically has addressed only incompletely.

The Role of Discretion

Returning to the previous example of rape reporting, an additional concept about privacy emerges from the philosophical tradition: discretion. Discretion is the ability to understand, on a moral basis, why some information should be shared and some information withheld. Discretion is a process of evaluating the harm that information may and may not do when shared and then making a rational choice about sharing it. Discretion does not mean never sharing information; it means knowing when to share, with whom, and under what circumstances withholding information produces the least harm to all involved. In philosophy, discretion assumes a human actor and human-based decision-making.

In contemporary American journalism, journalists often know the names of rape victims but withhold that information from their viewers/listeners/readers so as not to reinjure a person who has already been injured by the rape. By exercising discretion, the journalist ensures the victim has control over those who know about the crime and its impact on the victim. Perhaps the victim decides to confide in a larger public, as was the case in a newspaper story which won the 1991 Pulitzer Prize in Public Service by reporter Jane Schorer and editor Geneva Overholser of the *Des Moines Register*. The poignant story revealed the name of a rape victim willingly discussing the ordeal a woman faces when deciding to press charges over such a violent assault. Even in this instance, the victim retained control over sharing the information.

In the case of the Boston *Globe*'s (2002) reporting of the pedophile priest scandal in the first decade of this century (reporting which was summarized in the Oscar-winning film "Spotlight" in 2015), discretion included withholding the victims' names, but not the nature of the assaults themselves. Discretion is most certainly context dependent, and context implies community. "A credible ethics of privacy needs to be rooted in the common good rather than individual rights" (Christians, 2010). "Communitarians see the myth of the self-contained 'man' in a state of nature as politically misleading and dangerous."

The *Globe*'s reporting is an affirming example of the nature of privacy and discretion as articulated by journalists. The community of Boston and the worldwide community of Roman

Catholics needed to know of this cancer within the Catholic clergy. Knowing was the common good. Maintaining community meant revealing the nature of the crimes committed, despite the harm that it would do to the institution, so that the community could continue to live with autonomy and dignity and the institution itself might improve.

While we most often think of discretion as an individual decision, and learning to exercise discretion as one of the markers of a morally-developed person, in this century discretion most often involves third parties to whom we willingly—and sometimes not—give information. People willingly disclose personal information about finances, health, and even chromosomal makeup to obtain mortgages or medical diagnoses. The assumption is that the mortgage broker does not acquire a client's medical records and the doctor will not acquire financial information.

Some contextual boundaries will continue to exist. But, one of the results of Wikileaks and the reporting based on Edward Snowden's revelations is the grudging acknowledgement that governments spy on citizens and on one another, sometimes by jawboning communication conglomerates to turn over access to individual telephone records and by analyzing the content of that communication. These revelations have become one of the most notorious examples of the use of "big data" for the stated purpose of improving national (and hence individual) security without ever requesting permission from the citizenry or its elected representatives.

With "data mining" the new financial and espionage frontier, what ought to be the rules of third-party, institutional discretion? Historically, Americans have refused to accept that a "third party"—beginning with government but extending to some private, for-profit institutions—would be able to exercise discretion without substantial guidance. Law constrained such acts, and it was to the law—the world of rights—that thinking about privacy turned.

Finding a New Right

The genesis of the term "Right to Privacy" comes from an 1890 Harvard Law Review article authored by Louis Brandeis (later a Supreme Court Associate Justice) and Samuel Warren. Though several historical "versions" of the story exist, the most common one is that the two influential Boston lawyers were incensed by unwanted media coverage of the marriage of Warren's daughter during the era of "yellow journalism." Little has changed in the subsequent 125 years since one of the most influential law review articles of all time was written. In it, Warren and Brandeis (1890) argued for the right of the individual to be free from the snooping eyes of the press. Today, thanks to the work of Dean William Prosser, the tort of privacy has four legally-recognized manifestations:

1. Intrusion upon a person's seclusion or solitude, such as invading one's home or personal papers to get a story—philosophically, a loss of control over information;
2. Public disclosure of embarrassing private facts, such as revealing someone's notorious past when it has no bearing on that person's present status—another example of loss of control over information;
3. Publicity that places a person in a false light, such as enhancing a subject's biography to sell additional books—an inappropriate shifting of the context in which information is understood;
4. Misappropriation of a person's name or likeness for personal advantage—another assault on information context.

Despite the legal history that informs the concept, the "right to privacy" never appears in the U.S. Constitution. In an early, seminal case in privacy law, *Griswold v. Connecticut*, Justice William O. Douglas made the argument that the matter of a "right to privacy" is addressed in the

"penumbra of the US Constitution." This term, penumbra, used nearly a dozen times in Supreme Court decisions, always refers to rights that can be inferred by other rights. So, the right to privacy is found in the totality of rights enumerated in the Bill of Rights.

While this is the basis of privacy in U.S. law—a right that is inferred rather than explicitly stated—the Universal Declaration of Human Rights, which was written almost 200 years after the Bill of Rights to the U.S. Constitution was approved, explicitly names privacy as a right of all people, regardless of citizenship. What constitutes that "right" is left undefined.

The distinction between a right that is inferred as compared to one that is explicitly articulated is important. In the U.S., privacy has evolved as a right conferred by the courts, based in law, while in the rest of the world it is a human right, what the American Founders would have called a "natural right." Jefferson noted three such natural rights in the Declaration of Independence: life, liberty and the pursuit of happiness. The first two Jefferson borrowed from Locke; the latter comes from Aristotle. The "bottom line" of the Declaration of Independence is that natural rights need no justification—they simply are beyond debate. For most of the world, privacy is a natural right, while in the U.S., the right continues to be about law, although by linking natural rights to "happiness" or what the Greeks called "flourishing", the argument that philosophy informs the law of privacy, even in the U.S., has substantial intellectual merit.

Interestingly, in the last half of the twentieth century, virtually every major court case that has carved out the U.S. notion of a right to privacy was a case over sexual matters such as contraception (*Griswold v. Connecticut*), abortion (*Roe v. Wade*) and sodomy (*Bowers v. Hardwick*). One at a time, as these cases were granted writ by the Supreme Court against long odds and invariably found in favor of plaintiffs seeking relief from state intrusion into their lives, a larger notion of privacy was created out of the most intimate of decisions a person could make. The progression is instructive: the further from the center of my circles of intimacy an event occurs, the less control I have over what is made public. In the U.S., the balance between community and the individual tilted toward the individual and to individual rights.

However, when the issue is privacy, the community and the individual have a symbiotic arrangement—one is not possible without the other. As western law sees it, privacy is an *a priori* right, meaning a right that can be justifiably overwhelmed by other concerns. Those concerns are most often stated in terms of the needs of the larger community: the Boston *Globe*'s reporting provides a robust example of how philosophy and law inform one another over the issue.

Philosopher Louis Hodges notes a fundamental "need for privacy" saying that "without some degree of privacy, civilized life would be impossible" (Glasser, 1983). Hodges says that individuals need privacy to "try out" new poses and new selves without fear of ridicule. He also argues that communities of individuals need privacy as a shield against the power of the state that might otherwise coerce individuals in a variety of ways for a variety of ends.

Communally, privacy is a necessary component of a democracy—without community an individual is unable to know himself in relation to others and the individual is also unable to govern herself—a process that must involve cooperation, collaboration and sometimes conflict with others. Governing demands mature citizens learning what information to guard, what information to reveal and for which ends.

This tension between community and individual privacy has been part of Jewish religious teachings for more than two millennia.

Avoiding the "Unwanted Gaze"

Unlike the harm of libel, which requires "publication" in writing or orally, invasion of privacy sometimes involves no publication at all. And, indeed the harm from intrusion on one's solitude might actually occur prior to publication or dissemination not because of it. In his book *The*

Unwanted Gaze, legal scholar Jeffrey Rosen (2000, p. 18) notes that Jewish law as codified in the Talmud has developed "a remarkable body of doctrine around the concept of *hezzek re'iyyah*," which means "the injury caused by seeing" or "the injury caused by being seen."

According to Rosen, this doctrine expands the right of privacy to protect individuals not only from physical intrusions into the home but also from surveillance by a neighbor who is outside the home, perhaps peering through a window into a common courtyard. Jewish law protects neighbors not only from unwanted observation, but also from the possibility of being observed. The law is detailed and strict. If your window looks into your neighbor's private courtyard, you must seal your window shut. "From its earliest days, Jewish law has recognized that it is the uncertainty about whether or not we are being observed that forces us to lead more constricted lives and inhibits us from speaking and acting freely in public" (Rosen, 2000, p. 19).

That sentence is important: fear of being observed causes us to partially shut down our lives where we are celebrating, mourning or just going about a daily pattern. Again, it calls to mind the notion of trying out one's "poses" and possible "future selves" as a reason for the "need for privacy." If the courtyard represents information that is available to individuals living in community, then knowing when to "avert your eyes" requires choosing among alternatives. Ethical thinking divides information into three, unequal and not always overlapping, categories: "want to know," "need to know" and "right to know" and places the responsibility for knowing the difference on the individual doing the "seeing."

"Want to know" information abounds and entire media and mediums exist to serve it. Wanting to be involved in others' lives explains the reason for and the content of social media such as Facebook or Instagram as well as the tabloid press and reality television. The entire international culture of celebrity is based on the public's almost insatiable appetite for information about their favorite heroes from sports, film, music, royalty, and so forth. Carol Burnett, a famous comedienne of the last century who successfully sued the U.S. tabloid newspaper the *National Enquirer* for libel, told an interviewer: "A public figure has little in the way of private life. That's a fact of life for those involved in careers that increase public visibility; with increased visibility comes natural curiosity to know more about the person" (Burnett, 1983).

However, curiosity does not make a compelling philosophical claim, despite that fact that the economic logic is something many media corporations find compelling. Curiosity does not serve a common good; taken to extremes, it can cause individual and sometimes community-wide harm. In the courtyard of our lives, curiosity can almost always be balanced with a healthy dose of "avert your eyes."

"Need to know" is the information that people depend on to navigate modern society. Those who wish to make a living in the stock market "need to know" financial information. Weather forecasts help people and communities plan in large and small ways. Political information, construed broadly, is the lifeblood of democratic politics. Many have argued that the lack of political information is what allows dictators and oligarchs to flourish. For the courtyard to remain vibrant, people need to know what's going on in the common space. To paraphrase Shakespeare, is the common garden weeded, or have the sewers backed up? The community as well as the individual is served. This is the compelling and philosophically-based rationale.

"Right to know" is information that is legally guaranteed—either in a positive way (an individual should have this information) or in a negative one (individuals have no right to this information because it places the community itself or its institutions at great risk). The revelations by Edward Snowden frame the complicated nature of the "right to know" debate in a century where political, economic, and governmental power appear to constitute some sort of political and economic conspiracy that is at once anti-democratic yet susceptible to forces such as non-state terrorism that threaten democratic communities across the globe. Philosophically, they ask us to consider whether it is only an "individual" who can see into the common courtyard, or whether

governments (at best a community of individuals) or search algorithms (written by individuals but operating without human supervision) must be told to "seal the windows" shut.

Both the "right to know" and the "need to know" what is going on in the courtyard require sophisticated, analytic thinking and an awareness that not everyone—either people or institutions—is going to agree. Even tentative agreements, for example those called into question by Snowden's revelations about the private facts of U.S. government surveillance in the service of the "war on terror," ask people to rebalance their thinking about the relationship between individual and civil well-being. Whether you believe Edward Snowden is a "traitor" (the words of politicians as widely separated politically as President Barak Obama or radio talk show host Rush Limbaugh) or a "hero" (the view of many civil libertarians) may depend at the core on how you think about privacy and what weight you give its legal and philosophical roots.

Finally, there is the question of whether the unwanted gaze can simply forget what it saw. In an earlier time, one could wait for the story to die down, being available only to those who had access to a newspaper's "morgue" or a television station's extensive tape library. But few ordinary citizens could access these places, so a story would naturally die out. Today, however, with the Internet, anyone can access any stored information with just rudimentary knowledge of how to use a browser.

Most recently, law has been looked to as a remedy for this relatively new phenomenon of intrusive stories with an infinite lifetime—a decidedly twenty-first century notion of the *right to be forgotten*. In some parts of the world, the right to be forgotten is now considered a fundamental human right.

The history of the right began in 1998 when a Spanish newspaper published two announcements in its printed edition regarding the forced sale of properties arising from debts by the owner. A version was later made available on the newspaper's website. In November 2009, the property owner requested the information about the sale be taken down for the newspaper's website; the newspaper responded that because the report was a legal announcement, it would remain in perpetuity. The property owner then contacted Google about links to the site and then lodged a complaint with the Spanish Data Protection Agency, which ruled against Google—in essence telling the data conglomerate to remove links to the story—but upheld the right of the newspaper to retain the information on its website.

Out of the overlapping legal cases—which it is important to note had become global and involving multiple legal systems—the "right to be forgotten" emerged. That right had a cost: Spain no longer has "Google news." The "right to be forgotten" mirrors the development of the larger "right to privacy" in that both are in the common law, often called the "discovered law" or law that emerges from lived experience. The concept of *hezzek re'iyyah* does not kick in until urban living is the norm. The need for the "right to be forgotten" doesn't occur until a medium, like the Internet, stores content in an easily-retrievable manner permanently.

The Technological Courtyard

Snowden and WikiLeaks also show that it is not just individuals who have private information. Revealing the private facts of corporate governance or statecraft also denotes a change in how people think about the courtyard that is at the philosophical root of Jewish law. The *Talmud* did not anticipate that the courtyard would become both global and virtual in the twenty-first century. Retaining control over content and context has never been easy, but the computer and its communication offspring have made reasoning through the philosophical thicket far more difficult.

Some suggest that in modern society the very notion of individual privacy is impossible. "Privacy is dead" headlines have been appearing since the 1990s (Sprenger, 1999). Donald Kerr,

deputy director of the U.S. Office of National Intelligence, told *Newsday* in 2007: "In our inter-connected and wireless world, anonymity—or the appearance of anonymity—is quickly becoming a thing of the past." In this view, technology simply makes it unrealistic to expect any serious protection from intrusion by government and corporations alike.

This is "big data," a buzz word for the layers upon layers of information about individuals collected by a variety of institutions, connected to one another in ever more sophisticated ways, and then employed by everyone from pharmaceutical companies to web-based entities to both legacy and new media. While modern science is not quite there yet, many scholars believe that ultimately "big data" will include genetic information, a knowledge of "the self" on a cellular level which the philosophers who have written about privacy in past centuries almost certainly did not envision.

"Big data," and even the not-so-big data that is currently the basis of commercially focused algorithms, raise ethical issues that have not been closely associated with the central ideas of individual "control" over information and "context" which dominated philosophical discussions about privacy. For example, technological intrusion suggests wealth could make privacy easier to maintain. "One key concern is that, as free Internet services become increasingly available, poorer consumers will sacrifice their privacy to receive free Internet access, whereas wealthier consumers will pay for Internet access and realize better privacy protection" (O'Neil, 2001, p. 29).

Wealth, however, is no guarantee. When fantasy sports teams became popular in the early years of this century, professional athletes, among the best paid celebrities, sued for invasion of privacy because their images and their athletic records had been appropriated without their permission for use in "fantasy leagues," a form of on-line gambling popular in the developed West. Some have even predicted that as privacy continues to erode, users will be able to purchase their own privacy (Rust et al., 2002, p. 445) or at least privacy protection through commercial applications to guard against identity theft where those with the financial ability can be more secure in their information than those who cannot afford the service. Thinking about privacy in terms of wealth, as opposed to sophisticated analysis of context and control or through the lens of moral development (Kohlberg, 1981, 1984), invites discussion of distributive justice into the privacy conversation.

Another major concern expressed in the literature is that most people simply are not aware of the storage and use of their personal data online (Raab and Mason, 2004). In essence, they are unaware of the existence of the courtyard, the size of the common space, the sort of "neighbors" with whom they share the courtyard, or the various purposes, including economic ones, that sharing might support. As a result, Internet users focus on the benefits of their online transactions and believe they can take necessary precautions to minimize any anticipated risks despite multiple data hacks of institutions as disconnected as big-box retailers to the Internal Revenue Service (van de Garde-Perik et al., 2008). Internet users seem to view disclosure differently in social contexts such as blogs (Lee et al., 2008) and social networking sites.

In the past decade, Facebook has faced multiple protests over its changing privacy policies. And because technology is sometimes nimble, those who don't like "Facebooking" their photos can simply transmit them over Instagram because, on that platform, users believe they do not become part of some "forever" data base. Both are profitable, global, and incompletely regulated by political communities.

However, the chances of a technological fix to the privacy problem, at least if the technology is a computer, reminds users that "anything can be hacked." Many forms of technology seem to default to openness rather than privacy and require some knowledge and action on the part of the user to enhance privacy and security. In this century, technology is also firmly linked to the market.

The following themes emerge from these developments:

First, people do not consider privacy a monolithic category or good. They appear willing to negotiate its use under some conditions. This bolsters the conceptualization of privacy as an *a priori* right—a right that can be overwhelmed by other concerns. However, historically, those other concerns have focused on the needs of the political and social community; in the current context, market considerations plus other individual needs may also appear to justify openness where discretion may have been the norm in previous eras.

Second, the lack of transparency embedded in the technology itself may be a problem. The health of the community, particularly as defined by the philosophical notion of "flourishing" and the more discrete concept of economic well being, suggests that flourishing must take into account the equitable distribution of the privacy throughout the community. Google is a multi-national corporation and algorithms are "non-human," but both are opaque as opposed to transparent in the distribution of "privacy."

Further, the human decisions that form the basis of the corporate or machine-based choices are seldom well understood by the "end user." The individuals making (or programming) them may fail to articulate the context and the "rules" of those choices to themselves or to others. Many such decisions are made by "entities" that reflect at least one degree of separation from a human being: computer programs called algorithms, a small procedure that mathematicians and computer scientists employ to solve a recurrent problem.

The word algorithm itself derives from the name of the mathematician, Mohammed ibn-Musa al-Khwarizmi, who was part of the royal court in Baghdad and who lived from about 780 to 850. When on-line commercial firms, everything from Amazon to eHarmony, make predictions about what customers would like from books, to gadgets, to possible partners, they do so based on algorithms—computer programs which, at their apex, have some capacity to "learn" or teach themselves more sophisticated approaches to solving specific problems, for example, playing chess. Algorithms currently are employed in three very broad ways: for commercial applications, by governments for security purposes, and by mathematicians and computer scientists engaged in research. Commercial applications and governments attempting to ensure security in this century challenge the individual's ability to assert privacy claims over information. They also sometimes subvert existing community-based political and legal understandings. When confronted with a large corporation or government entity, individual choice may well be an inadequate mechanism to reassert control over both information and the context in which it is understood. Historically, people have turned to the law to balance the power equation in such circumstances.

However, the law is almost always post hoc, one of the often stated concerns about the harm that loss of privacy entails (Alderman and Kennedy, 1995). Privacy, once lost, is almost impossible to recover. So, when individual privacy is the focus of concern, institutions may well have affirmative obligations to safeguard privacy—essentially acting in such a way as to forestall privacy invasion in much the same way that corporations and governments have an obligation to ensure consumer and citizen safety in certain conditions. While these obligations are enforced through the law, the law here has its roots in philosophy, specifically the affirmative duty to prevent harm or do as little harm as possible as articulated in the work of philosophers such as John Stuart Mill and W. D. Ross. Thus, third parties such as dating websites or health care systems can be reasonably assumed to have an ethical obligation not only to safeguard data but also to craft thinking about privacy into the increasingly sophisticated algorithms and other forms of artificial intelligence that currently constitute the collection and use of information for the varied purposes to which data can be put.

Cumulatively, these twenty-first century understandings about the needs for and components of the philosophical "good life" argue for the development of an institution-based ethics of privacy.

A Conceptual Bridge: Contested Commodities

As the foregoing indicates, privacy is most often taught and understood as either the province of law or the province of philosophy. Technology is incompletely connected to both. Scholars appear to pick a "domain" and stick to it.

Legal scholar Margaret Radin (1982, 1993, 1996) is one of few who has taken understandings from law and philosophy to develop new theory. Radin has developed the concept of contested commodities to explain how the concept of personhood, as articulated by philosophers David Hume, Thomas Hobbes, Kant, J. S. Mill and feminist philosophy, can critique and inform traditional market economics where the concept of personhood and private property which can be bought and sold are inextricably joined.

Radin begins with a theory of the self that owes some of its conceptual power to feminist ethics, particularly those outlined by Nussbaum (2003; 2011) and the capabilities approach.

> When the self is understood expansively so as to include not merely undifferentiated Kantian moral agency but also the person's particular endowments and attributes, and not merely those particular endowments and attributes, either, but also the specific things needed for the contextual aspect of personhood, then this understanding is a thick theory of the self. A thick theory of the self correlates with an expansive role for inalienability because things that are understood as inside the self, or as bridging the boundary between inside and outside, cannot simultaneously be understood as readily detachable from the self they constitute.
>
> (p. 60)

Radin embodies the community in the self but also situates the self within community, a defining feature of the capabilities approach because it also takes social institutions and people's capabilities to act within them and because of them into account.

Radin's "thick theory of the self" builds on the work of Naussbaum to explore the functions of private property in a capitalistic market, noting that market language does not always best describe certain human activity. Consider a wedding ring, which is purchased for a specific "price" at the beginning of many relationships. Add 36 years of marriage, a trio of kids, some illness, and some joy, and the "price" of the wedding ring no longer represents the "value" of the marriage. Indeed, that value is probably best expressed, not in the language of the market, but in the language of the poet or of the philosopher or of the psychologist. Money is no longer the object of affection. And, this is despite the fact that marriage has both economic benefits and costs.

Radin asserts that a thick theory of the self and the traditional concepts of market-driven economics do co-exist within contemporary culture, but that there is a group of "goods"—contested commodities like the wedding ring example—for which market economics does not provides complete explanatory power. It is within the language of her work to assert that private information which emerges from human beings acting within a cultural context constitutes a contested commodity, one which market forces may intrude upon but which are incompletely accounted for by examining only market transactions. Radin's theory is rooted in Nussbaum's concept of human capabilities, included among them free expression, association, control over one's environment, and the human capacity for imagination and thought. Human capabilities constitute the contemporary core of what the Greeks described as flourishing.

Privacy as a contested commodity fits well with twenty-first century lived experience at the individual level—that privacy is an *a priori* right that individuals can chose to trade away, or to retain, based on individual needs and desires. The concept of contested commodity also notes that the "contest" takes place not just within an isolated individual but within an individual who

is also embedded in a cultural and economic system. Finally, that "contest" is in the service of human capabilities—capabilities which can be actualized in a community and within certain sorts of markets, but are also separable from them in individual circumstances, for example the wedding ring illustration noted above. Because it takes place within a social and cultural system, an essential component of Nussbaum's normative conceptualization of the human capabilities, the theory of contested commodity may also apply when technology enters the arena.

BUILDING AN INSTITUTION-BASED THEORY OF PRIVACY

Based on the lives we live in this century and on the philosophical concept of human capabilities as articulated by Nussbaum, any theory of privacy at the institutional level must combine elements of ethics, law and a dynamic understanding of technology. The institutional-level of analysis assumes that individuals, the focus of most philosophical theory about privacy, maintain a necessary symbiotic relationship with social and cultural institutions without which fulfilling some capabilities such as association and control over one's environment would be impossible. This institutional-level approach also eschews one of the major tenants of contemporary philosophy: that institutions are not "people" and cannot be treated philosophically as entities with the capacity to form intent, to make moral choice, or to be held morally accountable (May, 1987).

A contemporary institutional theory of privacy takes its understanding of the need for ethical responsibility from the law which has codified the understanding that institutions can be held accountable for acts which are essentially ethical in nature (Noddings, 1989). It also accepts contemporary research on organizations that documents organizational "cultures" which can promote as well as retard ethical actions by employees at all levels of responsibility and authority (Barnett and Vaicys, 2000). Finally, it accepts a more ancient understanding of politics, dating at least to Plato and Aristotle but continuing through many articulations of democratic theory: some forms of government make it more possible to behave ethically than do others. To summarize, an institution theory of privacy asserts that institutions matter to both how people conceptualize privacy in their individual lives (Vallor, 2016) and to how they can achieve it within community. Just as the individual works with conceptualizations of right to know, need to know and want to know, an institutional-based theory of privacy should consider the following circles of responsibility.

Outermost Level of Responsibility: Responsibility to the Consumer

In the role of individual-as-consumer, privacy would be a contested commodity. The capacity for and distribution of individual harm and good which corporate-based privacy decisions could promulgate would require transparent and future-oriented evaluation at the community level. Here, even though temptation is great, market forces alone would provide a less compelling privacy argument than philosophical and political concepts of flourishing—a rough parallel between the distinctions of want to know and need to know, where market forces are not trivial but must be considered within a web of more compelling and human-centered arguments. Institutions within society would be charged with overseeing, through self-regulation and government regulation, the equitable distribution of the "good" of privacy to various social groups; within this emerging law, corporations could be held accountable for the economic consequences of privacy invasion. A contemporary example of this approach is the recent court decision involving Gawker Media, where various court rulings have amounted to an acknowledgement that privacy may be considered an individual economic asset (*Bollea v. Gawker Media*).

Second Level of Responsibility: Intersection of Citizen and State

The more disconnected the ability to make ethical decisions is from an individual moral intelligence, the more carefully circumscribed and routinely evaluated artificial intelligence and the uses to which it is put in information collection must be evaluated by the political community. So must institutional-based programs and regulations. This preliminary maxim would also be the subject of evaluation through lived experience; people might agree that various forms of artificial intelligence could help to design biologically specific anti-cancer treatments but reject a similar use for evaluating internet searches in the hopes of discovering future terrorist activity.

Here, the institutions involved would have an affirmative responsibility to demonstrate that such activity would not have a negative impact on human capabilities as outlined by Nussbaum. Although this sounds contradictory, it is in no way different than the regulations governing drug development; pharmaceutical corporations have to demonstrate that what they propose will cause harm to human beings only within certain limits. It is acknowledged that the intersection of the citizen and the state over private information will change as time and technology change. Privacy as a contested commodity would default to openness at the institutional level; institutions would be expected to be transparent about what they do and how their actions impinge on individual privacy. However, at the individual level, discretion would be the default. People would have to decide to opt-in to certain sorts of arrangements, particularly those that can have negative consequences on their health or psychological well being or on their ability to function within a vibrant community. It is acknowledged that there may be substantial and sometimes unintended overlap between the institutions of the market and of politics.

For Journalists: Responsibility for Reporting the Philosophical and Economic Claims about Privacy as News

Here it is the flourishing of the community that takes precedence, but that flourishing must also include an analysis of individual actualization of capabilities over time and the just distribution of the "right" to privacy community wide. Such a conceptualization of privacy requires an articulated balancing of minority and majority capabilities and rights—an acknowledgement that both philosophy and law have a role to play in evaluating how institutions influence individual lives when the issue is privacy.

Technology here is a servant, but is also acknowledged to have moral weight in privacy decisions. Thus, the journalistic role begins with reporting and writing the news in such a way as to minimize the harm of privacy invasion, including emerging news technologies such as the 360-degree camera or the use of drones and virtual reality to report news events. This is a daunting effort for journalists, but to it they must add the beat of "privacy" as it is reflected in economic decisions and through legislation. This effort will require assertive reporting on issues that both journalists and the public are only just now beginning to understand and one in which news organizations themselves are important actors. Privacy, when it becomes news, is more about "why" and "how." The best stories will focus on the places where law, philosophy and technology intersect. To some extent, this convergence of insights over one extraordinarily important issue has been anticipated. In *Patterson v. Tribune*, the *Tampa Tribune* disclosed the commitment of a woman to a narcotics-recovery facility, an act prohibited by Florida statue. In finding for the plaintiff, the court noted: "Our metropolitan newspapers … are the technological marvels of our age. They render invaluable public service … almost political in their capacity to influence public opinion, rightly blest with the constitutional guaranty of freedom of the press. Such power imposes corresponding responsibility." When the issue is privacy, the responsibility

is shared, not just by individuals but by the community that forms around the common courtyard of human life. Privacy theory crosses boundaries. It enlarges the concept of flourishing—and any potential harms to that process—beyond the individual to the community and culture that allows people to realize their greatest happiness.

The recent debate over the programming protocol for the eminent driverless car serves as an example of an institution—the transportation industry—making an essentially moral choice and being held morally accountable (Greenemeier, 2016). Though accidents caused by the driverless car will be virtually non-existent, programmers universally agree, accidents will happen largely because of human error by others on the road—motorists, bicyclists and pedestrians—that will essentially force the driverless car to make a "choice" to save the life of its occupant or possibly save others on the road including those who might have been at fault in the first place. Solving this real life trolley problem will require utilitarian thinking: doing the least amount of harm for the most people.

This illustration sums up the privacy conundrum and the need to acknowledge that law, philosophy and technology will intersect in novel ways to respond to it. The decision to open oneself to the world's courtyard voluntarily is a "risk"—that private thoughts might be flung to the outer circle of intimates—in exchange for the "reward" of full participation in a modern democratic society which cannot function as a community without this sort of participation. Individuals may take such risks for economic reasons, but those risks need to be taken in an institutional context that regards privacy as both a right and a "need" that allows humans to fulfill their capabilities. Law that restricts institutions thus becomes the "tracks" that the trolley travels on. But, how that trolley car is engineered—to safeguard those who ride it—will be the province for both law and ethics. The power of big data, meta-data and algorithms must include the concept of human-based discretion—an ethical equation—if privacy is to be preserved. In the modern era, preventing 1984 or the Republic of Panem will require the injection of ethical thinking at every level of human-based or human-originated activity, including a reframing of how philosophers consider the moral weight of institutional choice.

REFERENCES

Alderman, E., and Kennedy, C. (1995). *The Right to Privacy*. New York: Alfred A. Knopf.

Barnett, T., and Vaicys, C. (2000). "The Moderating Effects of Individual Perceptions of Ethical Work Climate on Ethical Judgments and Behavioral Intention." *Journal of Business Ethics*, 27, 351–362.

Bok, S. (1983). *Secrets: On the Ethics of Concealment and Revelation*. New York: Vintage.

Boston Globe Investigative Staff. (2002). *Betrayal: The Crisis in the Catholic Church*. Boston, MA: Little, Brown and Co.

Burnett, C. (1983). Newspaper Interview, May 16, 1983, *USA Today*, Page A-10.

Christians, C. G. (2010). "The Ethics of Privacy." In C. Meyers (Ed.), *Journalism Ethics: A Philosophical Approach* (pp. 203–214). New York: Oxford University Press.

Fletcher, G. P. (1987). "Law and Morality: A Kantian Perspective." *Columbia Law Review*, 87(3), April, 533–558.

Glasser, T. L. (1983). "The Journalist and Privacy." *Social Responsibility: Journalism, Law, Medicine*, ed. Louis W. Hodges, 9, 5–19.

Greenemeier, L. (2016). "Driverless Cars Will Face Moral Dilemmas." *Scientific American*, July 23. Retrieved September 13, 2016 from scientificamerian.org.

Koehn, D. (1998). *Rethinking Feminist Ethics: Care, Trust and Empathy*. New York: Routledge.

Kohlberg, L. (1981). *The Philosophy of Moral Development: Moral Stages and the Idea of Justice*. San Francisco, CA: Harper & Row.

Kohlberg, L. (1984). *The Psychology of Moral Development: The Nature and Validity of Moral Stages*. San Francisco, CA: Harper & Row.

Lee, D., Im, S., and Taylor, C. (2008, July). "Voluntary Self-Disclosure of Information on the Internet: A Multimethod Study of the Motivations and Consequences of Disclosing Information on Blogs." *Psychology & Marketing*, 25(7), July, 692–710.

May, L. (1987). *The Morality of Groups: Collective Responsibility, Group-based Harm, and Corporate Rights*. Notre Dame, IN: University of Notre Dame Press.

Nissenbaum, H. (2008). *Privacy in Context: Technology, Policy and the Integrity of Social Life*. Stanford, CA: Stanford University Press.

Noddings, N. (1989). *Women and Evil*. Berkeley, CA: University of California Press.

Nussbaum, M. C. (2003). *Upheavals of Thought: The Intelligence of Emotions*. Cambridge, UK: Cambridge University Press.

Nussbaum, M. C. (2011). *Creating Capabilities: The Human Development Approach*. New York: Belknap Press.

O'Neil, D. (2001, February). "Analysis of Internet Users' Level of Online Privacy Concerns." *Social Science Computer Review*, 19, February, 17–31.

Raab, C., and Mason, D. (2004, March). "Privacy, Surveillance, Trust and Regulation." *Information, Communication & Society*, 7(1), March, 89–91.

Radin, M. J. (1982). "Property and Personhood." *Stanford Law Review*, 34(5), May, 957–1015.

Radin, M. J. (1993). *Reinterpreting Property*. Chicago, IL: University of Chicago Press.

Radin, M. J. (1996). *Contested Commodities*. Cambridge, MA: Harvard University Press.

Rosen, J. (2000). *The Unwanted Gaze: The Destruction of Privacy in America*. New York: Random House.

Rust, R., Kannan, P., and Peng, N. (2002). "The Customer Economics of Internet Privacy." *Journal of the Academy of Marketing Science*, 30(4), Fall, 455–464.

Sprenger, P. (1999). "Sun on Privacy: 'Get Over It'." *Wired Magazine*, January 26. Retrieved from www.wired.com/politics/law/news/1999/01/17538.

Vallor, S. (2016). *Technology and the Virtues: A Philosophical Guide to a Future Worth Having*. Oxford, UK: Oxford University Press.

van de Garde-Perik, E., Markopoulos, P., de Ruyter, B., Eggen, B., and IJsselsteijn, W. (2008). "Investigating Privacy Attitudes and Behavior in Relation to Personalization." *Social Science Computer Review*, 26(1), 20–43.

van den Hoven, J. (2008). *Information Technology and Moral Philosophy*. Cambridge: Cambridge University Press.

Warren, S., and Brandeis, L. (1890). "The Right to Privacy." *Harvard Law Review*, 4(5), 193–220. In F. D. Schoeman (Ed.), *Philosophical Dimensions of Privacy: An Anthology*, "The Right to Privacy (The Implicit Made Explicit)" (pp. 75–103). Cambridge, UK: Cambridge University Press, 1984.

Westin, A. (1967). *Privacy and Freedom*. New York: Antheneum.

IV
INSTITUTIONAL CONSIDERATIONS

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Islamic Reform for Democracy and Global Peace

Haydar Badawi Sadig

As Cornel West (2004) contends, in his widely read work *Democracy Matters*, the search of Muslims for a modern Islamic identity is geared toward countering the uprootedness and restlessness of the Western version of modernity.[1] The Islamic response to certain aspects of modernity, in West's contention, is not dissimilar to Christian, Judaic, tribalistic, or any other form of fundamentalism. He further asserts that religious traditions are here to stay, thus the only recourse we have is to support prophetic voices that embrace democratic universals within them to de-Westernize democracy. "Western-style democracies—themselves in need of repair—are but one member of the family of democracy" (West, 2004, p. 138).

Likewise, Khaled Abou El-Fadl (2004) believes that democracy and Islam are defined by the underlying moral values embedded in them, and attitudinal commitments of adherents to those values. Such moral values, he asserts, are more relevant in discussing universalism in Islam than how those values and commitments have been applied. Analyzing Islamic thought through the prism of universals, Abou El-Fadl believes, will make fair-minded people see that Islam is rich with both interpretive and practicable democratic concepts. Democracy in this Islamic frame of reference is an "ethical good," and the pursuit of this good serves the purpose of God on earth.

> In particular, human beings, as God's vicegerents, are responsible for making the world more just. By assigning equal political rights to all adults, democracy expresses that special status of human beings in God's creation and enables them to discharge that responsibility.
>
> (Abou El-Fadl, 2004, p. 6)

In an attempt to validate the importance of universal communication ethics for democracy anywhere, especially in the Middle East, "Islamic Reform for Democracy and Global Peace" focuses on answering the question: Are there universalizable Islamic ethics that are applicable to communication theory? The answer is a resounding, "yes, a great deal," yet much complexity is wrapped in this simplistic answer. As in any other religion, there is formidable tension in Islam between the revealed scriptures as they are, in a textual sense, and the interpretations of those scriptures as understood and practiced in contextual terms. Islam is unique in that it has two distinct sets of codes revealed in *Quran* that may seem contradictory in first glance. One set was revealed in Mecca, before Prophet Mohamed migrated to Medina, where the other set was revealed.

The contention of this author is that the Meccan set of texts is universal, ahistorical and transcendent, while the Medinese set of texts is particular, historical and limited to the needs and dictates of certain socio-cultural realities, mainly those of the seventh century. This contention is based on the ideas of the Sudanese Muslim reformer *Ustadh* (revered teacher) Mahmoud Mohamed Taha, who was executed in Sudan in1985 for his stance against the imposition of an extreme interpretation and enactment of *Sharia* laws. The story of this remarkable thinker's execution will be succinctly narrated later as a case representing the ethical dilemma of the Muslim world, present in the conflict between particularisms and universalisms within Islam.

The distinction between the universal Meccan texts and the particular Medinese ones has huge implications for global communication ethics theory and practice. These implications do not concern only Muslim media professionals, but they also ought to concern all global communicators who are concerned with Islam and the prospects of democracy in the Muslim World. By extension, this includes journalists, who care about truth-telling with regard to any subject or event related to Islam and Muslim realities around the globe.

A BRIEF HISTORY OF ISLAM

Prophet Mohamed was born in the year 570 in Mecca, at the time the commercial and religious center of the Hijaz region of the Arabian Peninsula. He grew up as an orphan, supported by his uncle, Abu Talib. By the age of 25, he married Khadija, a powerful merchantwoman, who was 15 years his senior. She proposed to marry him after he faithfully worked for her, proving his honesty, knowledge, and good judgment. Prior to receiving revelation, Prophet Mohamed used to go to a cave in Mount Hirra, in the outskirts of Mecca for contemplation and worship based on the Abrahamic tradition. One day he came shaking to Khadija, his wife, reporting that he has received revelation from God through the archangel Gabriel. The revelation was a command asking him to recite the word of God and to acknowledge Him as the all-knowing creator of man. Khadija comforted him, and with the help and counsel of Waraqa bin Nawfal, her Christian cousin, consoled and reassured him of his communion with God and his chosen-ness. The revelations stopped for three years, during which Prophet Mohamed was deeply distressed. When they resumed three years later, he confidently began to preach Islam.

His first follower was Khadija, followed by his 10 year old cousin Ali bin Abi Talib. A few others followed, including his close friend Abu Bakr and his adopted son Zaid. The circle of Muslims grew, but it remained a tiny minority because of the fierce opposition by the elite, whose commercial interests were largely dependent on Mecca's position as a pagan religious center. The *Kaaba*, the cubic structure around which Muslims perform *Hajj* and *Omra* today, at the heart of Mecca, was the main house where idols were placed and worshiped. This also meant that it was the main trade and communication center in the region. Quranic revelations kept coming, forbidding the worship of idols and calling for the Oneness of God. This meant threating the power and interests of the elites. Therefore, the opposition to Islam grew fierce. Muslims were intensely persecuted until Prophet Mohamed instructed his followers to migrate to Abyssinia and to Medina.

The migration, *Hijra* in Arabic, of Prophet Mohamed himself, accompanied by Abu Bakr, to Medina, 320 kilometers from Mecca, in the year 622, marked the beginning of the vast spread of Islam in the Arab Peninsula and later in the rest of the world. What triggered the Prophet's migration was learning that the Meccans plotted to assassinate him, which was a clear indication that paganism and Islam could not coexist in Mecca side by side.

Medina at the time had a significant Jewish population. Therefore, monotheism and relative enlightenment were not foreign to its population. This may explain their welcoming

reception of Prophet Mohamed and Islam. Another reason, among others, may also be that the *Quran*, Islam and its followers, united Medina and gave it a huge ideological and rhetorical edge against Mecca, its envied commercial and religious competitor. Thousands of Medinese joined the new faith.

Meccans did not leave them alone, however, even after they migrated. They attempted to invade Medina several times, but their attempts failed. Then both parties signed the truce of Hudaybia, a place near Mecca. The truce obliged the Meccans and the Muslims and their allied tribes not to attack each other, and to allow freedom of allegiance of any tribe or individual to join any of the two parties. After a brief period of peace, the Meccans breached the terms of the truce by providing arms and other logistical support for an allied tribe, which fought a tribe allied to Medina. This gave Muslims a strong cause to respond. Ten years after *Hijra*, Muslims conquered Mecca. Idols were destroyed, and the *Kaaba* was declared the House of God, to which millions of Muslims flock for pilgrimage every year to the present day. Except for some skirmishes in one of the four fronts from which Mecca was sieged, the conquest was blood-less, because Muslims were under strict orders from the Prophet not to fight unless attacked. Entering Meccan in victory, however, did not change its political status; rather it confirmed its religious status. Medina became the seat of Islamic government since the Prophet Mohamed's migration to it, and continued as such after the conquest of Mecca. Thus, Prophet Mohamed, and later his *caliphs*, formed from Medina a new polity that expanded to include all of Arabia and beyond.

Henceforth, Islam entered the world scene as a major global worldview and powerful inter-national actor shortly after the revelation of *Quran* in the seventh century. Only 11 years after the death of the Prophet Mohamed, Muslims conquered Egypt and ended Roman occupation of this important incubator of the global hybridization of cultures. The defeat and retreat of Romans, therefore, was the beginning of a hitherto expanding influence of Islam and Muslims on the global stage. Defeating the Roman Empire took place only 24 years after Prophet Mohamed's migration to Medina.

According to an executive summary by the Pew Center (2011), the current Muslim popula-tion is above 1.6 billion, comprising about 23 percent of the current world population of 7 billion. The Muslim population in 2030 is expected to be 2.2 billion, which will be about 27 percent of the projected world population of 83 billion. This reality alone requires Muslims, and non-Muslims alike, to understand the dynamics and demands of our time, especially with regard to how Islam ought to be interpreted, embraced, and practiced within a global culture continuously seeking universality in the quest for peace.

PARTICULARITIES OF THE FIRST (MEDINESE) MESSAGE OF ISLAM

Before Islam, slavery was common in the Arab Peninsula. A man could marry as many women as he could afford. As was the case in many parts of the world, women were treated as property. Tribes raided each other for dominion and treasure. Wars between them could take 40 years or more, as true of the Dahis and Ghabraa war, triggered by a dispute about a reward in a horse race.

A common practice in the Arab Peninsula before Islam, especially among the poor sectors of society, was burying infant girls alive. This form of infanticide was practiced out of fear of dis-grace, should girls be kidnapped and enslaved by the enemy. Fear of starvation was also another significant factor, since women were unproductive consumers in a poor and primitive society. The laws of survival, in a harsh and hostile desert environment, produced this unimaginable

cruelty. Thus, far from enjoying equal rights with men, women lacked the most basic and elementary of all rights, namely the right to live. Women who survived were treated as mere means, with no purpose in life other than serving and pleasing men.

Therefore, it is understandable that the universal values of individual freedom, equality, and justice, abundantly clear in Meccan verses of *Quran*, were shunned. The social context described above, within which those verses were revealed, was not up to par with them. But a call for them had to be made before a harsher, more contextually appropriate, set of texts was justified. God's mercifulness and infinite wisdom dictate no punishment without a cause. When Meccans refused to accept the verses calling for deep universal values, those verses were repealed and the Medinese Quran started to gradually replace them as a source of harsher legislation. The body of Islamic codes developed in Medina and later by Muslim jurists constitutes what is called "*Sharia*," and what *Ustadh* Mahmoud Mohamed Taha calls the First Message of Islam. The justification for calling it the "First" Message of Islam is that, while it was revealed after the Meccan texts, it was "first" in terms of actual application at a communal level (in the new polity of Medina). It was the basis of legislation for the "first" Muslim state, marking the entrance of Islam as a new ideological and political force that continues to reorder global realities since.

The First Message of Islam was more realistic and more appropriate to the time. It shook tremendously the social foundations of power and the economic structure of Arabia. It prohibited female infanticide promptly, thus asserting women's right to life. A man was allowed to marry only up to four women, instead of an unlimited number of them. Unlike anywhere else in the world at the time, women were accorded rights to own and inherit property. They were allowed to testify in court for the first time. Even though a woman's testimony was half that of a man, in the sense that two women were required to form a single testimony equal to that of one man; still, allowing them to testify at all was a radical shift.

Thus, addressing itself to the appalling state of affairs of the seventh century Arabia, *Sharia* could not have uplifted women to the degree of equating them with men in one stroke. That would have been impossible and unwise because the social context was unprepared to accept it. That is not to say that women were inherently inferior. Rather, their inferiority was a product of a lack of maturity of character, which, at the time, could only be gained through experience in earning livelihoods and in wars, which were domains of men, who, unlike women, were physiologically fit for them (The Republican Brothers, 1979).

What most Muslims, and non-Muslims alike, need to understand is that, far from being all of Islam, *Sharia*, in the form of Medinese texts, or the First Message of Islam, was meant to be only a transitional stage. It constitutes one level of Islamic text, tailored for a certain context, and intended to serve the needs of a certain stage of development of the Muslim society. It was not universal. It addressed only the particularities of the Muslim society of the time. It did not embrace the universals contained in the Meccan texts. Actually, it abrogated them.

Still, the first Islamic polity, based on the particularity of the Medinese texts, was a great revolution that radically transformed the way of life in the Arabian Peninsula and, later on, in other parts of the world. It did a great deal to ameliorate the terrible conditions under which men, women and children were living. As mentioned earlier, it strictly prohibited female infanticide. It instituted compulsory alms-giving, taking from the economically well-off to help the poor and needy share in the wealth of the community. It enjoined the Prophet to counsel with believers (even if it left him fully free as to whether to accept or reject their counsel). As shown earlier, it also improved the lot of women in comparison with the conditions under which they lived before the advent of Islam.

Indeed, the First Message of Islam, while somewhat communitarian, is neither universal nor democratic. Furthermore, owing to the particularities of the historical context, it discriminated

between people on the basis of religion, gender, and social origin. The universal values embedded in the Meccans texts were strongly shunned by the social and political forces that mattered at the time.

Abrogating the Meccan texts, however, was a mere postponement, not a final repeal, according to Mahmoud Mohamed Taha (1967). The revival of those repealed Meccan verses, representing the ideals of Islam, had to wait until humanity had reached a stage of development capable of accepting them, ushering in a new phase in history, conducive to the exercise of freedom and equality in their fullest sense.

ISLAMIC UNIVERSALS: THE SECOND (MECCAN) MESSAGE

Proclaim: This is the truth from your Lord. Whoever wills, let him believe, and whoever wills, let him disbelieve.

<div align="right">(Quran, 18:29)</div>

You shall invite to the path of your Lord with wisdom and kind enlightenment, and debate with them in the best possible manner. Your Lord knows best who has strayed from His path, and He knows best who are the guided ones.

<div align="right">(Quran,16:125)</div>

These two Meccan verses of the *Quran*, among a myriad others, represent the universals embedded in the Second Message of Islam. The first one speaks about truth as ordained from God. Yet, it does provide for free will in believing or disbelieving in Islam as Truth. No traces of compulsion—abundant in Medinese verses, ordaining *Jihad* in its crudest form—are present in this Meccan verse. The receivers of the message are free to accept or reject Islam, or even believing in God altogether.

The second verse stresses the importance of wisdom, enlightenment, debate and decent mannerisms of speech on the part of believers when arguing for what they believe. Decent debate, encouraged by the verse, in itself is a strong indicator that unbelievers are not to be coerced into believing, for debate is always between opposing views. Even doubt about God's very existence is not excluded from debate content and mannerisms in Islam. This is especially clear when the first verse is read with the second one. Unbelievers, in the roots of Islam, therefore, are not only tolerated and peacefully accommodated, but are also encouraged to engage in debate. The second verse further tells the Prophet and Muslims that only God knows those who stray from the right path and those who will ultimately be guided to it, not any earthly authority, including that of the prophet of Islam. It instructs Muslims to convey the message of Islam with peace and wisdom, and then leave people alone. They are free, and the Lord knows how to best guide them because He knows their conscience best.

These verses, and many other Meccan verses, provide for freedom of thought, freedom of conscience, and freedom of expression. They encourage "debate," which, by definition, recognizes difference in opinion and in faith. Many other verses stress individual responsibility before God for any deed, good or bad, regardless of gender, race, or faith. Thus, comes the argument that Meccan texts are universal.

In describing the Muslim quest for a modern identity that accommodates Islamic principles, such as the ones described above, Cornel West, states:

Democracy Matters must confront this Islamic identity crisis critically and sympathetically. In other words, there can be no democracy in the Islamic world without a recasting of Islamic

identity. This new modern identity that fuses Islam and democracy has not even been glimpsed by most westerners. So it behooves us to proceed in a self-critical and open manner … Just as there is a long Judeo-Christian tradition, there is a long Judeo-Islamic tradition. The role of Islamic figures in the history of Judaic and Christian thought is immense … .These energies provide a hope for new democratic possibilities.

<div align="right">(West, 2004, pp. 132–133)</div>

This description of the predicament of Islam captures the true meaning of *Jihad*. Islamic communities and individuals around the globe nowadays brim with infinite "energies" and "possibilities" opening them up to the rest of the world like never before. The concept of a "good community" is at the heart of the Muslim quest for a modern identity, because only in a good community can an individual be dignified, free, and equal. Being dignified, free, and equal requires observation of these values in one's own life and in society at large. This is the real *Jihad* facing any Muslim today.

Jihad in Arabic means "struggle." However, the West is mostly familiar with only the lower layer of it, which is armed struggle against non-Muslims who actively seek the destruction of Muslims. Another higher layer of the meaning of *Jihad* is deeper, universal, more transcendent, and most relevant to our times. But it has not been explained well by Muslims to non-Muslims. The prophet of Islam, distinguished between two types of *Jihad*, one greater and one minor. The greatest *Jihad* is not against ulterior enemies. It is against evil within oneself. It is in seeking freedom, justice, and exercising self-control and self-discipline to be a free, fair, humble, yet dignified individual. In one instance, Prophet Mohamed says, "The best *Jihad* is a word of truth in the face of an unfair ruler." In another, and while returning from a war, he said, "We just came from minor Jihad to the greater *Jihad*." These notions clearly signify how important it is in Islam for an individual to engage in self-control and in causes for justice and exposing injustice.

These universal values, essential for a deep democracy, receive immense moral legitimacy from the Meccan phase of Islam. As discussed earlier, Ustadh Mahmoud Mohamed Taha (1987) calls the Meccan phase the Second Message of Islam, even though it was revealed earlier than the First Message, which was revealed in Medina after *Hijra*. The justification for this distinction is that, for thirteen years, the universal values of Islam were preached in Mecca but they did not take root, because they were foreign to the context and meant for a time to come.

Jihad in its military sense and other elements of *Sharia*, which were sanctioned in Medina were more suited to that time. Thus, calling the laws marking the victory of Islam in Medina, where the first Islamic state was established, the First Message of Islam, even though they were revealed after *Hijra* from Mecca, seemed more logical to Taha (1987). The Second Message of Islam, based on the universal Meccan texts, according to Taha still awaits application.

Accordingly, the Muslim World is in limbo. At the conceptual and perceptual level it has not gotten out of the grip of the First Message of Islam. But in practical terms, the advanced socio-cultural realities of today make the application of this level of Islam impossible. This is so because *Sharia*, the First Message, is incompatible not only with modernity but also with the essence of Islam itself as revealed in the universal values embedded in the Meccan texts. *Sharia*, in this sense, was the crust of Islam, not its core, the Second Message of Islam.

ISLAM AND THE DICTATES OF UNIVERSALISM

The main *Jihad* of a Muslim today, as can be deduced from the arguments above, ought to be working freely, but guided by principles and a moral compass compatible with universal values, toward creating an equitable world community. This struggle takes place in a world of

abundance, in a world of elites consumed by consumerism, fragmented by greed, and indulged in instant gratification, while billions are suffering. Such a world is not sustainable and it cannot produce a responsible, truly free and dignified individual—the ultimate goal of Islam, for which the *Quran* itself is a means not an end. According to this approach, a consumerist culture that commoditizes women's bodies in advertising and other types of media content is only different from enslavement in degree (because it objectifies an individual and makes a worthy life a means to another entity's profit-making schemes).

A good community in Islam is one where individual freedom is in full service of communal justice and equality. A dignified, happy, and absolutely free individual, is always well attuned with society and the universe, and is the end of all human endeavors. Hence, an individual should not be a means to any other end, or be used as such.

Islamic reformism provides an epistemology in which absolute individual freedom does not conflict with communal equality and justice.

Absolute individual freedom, in this sense, is not autonomous indirection (the I-am-free-to-do-anything-I-like notion prevalent in the West). Rather, it is an organic component of the exercise of equality and justice in community. The free expression of self will be limited only by the individual's inability to exercise it without stepping on the rights of others in justice and equality. The relationship between the good individual and the good community, in essence, is symbiotic, where equality and justice are enriched by individual freedom (and vice versa). Consequently, Islam provides for making the organization of the community a vehicle for the exercise of boundless individual freedom as long as the community's interests and values are guarded and enriched.

This equilibrium, derived from the concept of *Tawhid* (monotheism and universal harmony), renders individual worship of Allah (God) as meaningless if its fruits are not reaped by community in deeds of stewardship, fairness, truth-telling, kindness, charity, mercy, and other forms of selflessness (Taha, 1987, p. 84). *Tawhid*, according to Sufism (mystical Islam, to which most Islamic reformists trace the origins of their ideas) is also unity and harmony between all parts of the universe. *Tawhid* signifies a purpose that drives the cause of liberation of all humankind from bondage and servitude to multiple varieties of idols (Siddiqi, 2007). In this scheme of thought, commercial brand names and shopping malls, the altars of consumerism, could be seen as such idols.

The concept *Tawhid* clearly implies the existence of a common ground between the Islamic reformist ethic and the Judeo-Christian heritage from which Western ethics paradigms have driven major concepts and elucidations. To understand the common universality embedded in these traditions, Cornet West (2004) pointedly invites western scholars and readers to visit the writings of reformist Muslim scholars, like Mahmoud Mohamed Taha, Fatima Mernissi, Khalid Abou El-Fadl and others.

A good Islamic community, according to Taha (1987), prepares the individual to be a good worshiper by setting a healthy environment in which an individual would enjoy communion with God and with the universe. In the definition of Taha, absolute individual freedom is freedom from fear of death and freedom from need. To him, death is only a transition from one state of being to another. And the needs of the individual are well met in the good community as he or she contributes to its welfare. In his understanding, *Tawhid* means that the whole universe has one source. It emanated from God, and to God it shall return. But we, as elements in the universe, shall return as individuals, not as groups. This implies the centrality of the individual and individual freedom and responsibility in Islamic discourse. Happy is the individual who returns to God as a fair, good, free, and charitable individual, emulating Him, who is Fair, Free, Good, and Charitable. In this sense, the individual is a vicegerent of God on Earth, responsible for making the world more just (Abou El-Fadl 2004, p. 6). Communal justice, hence, is the incubator of absolute individual freedom.

Absolute individual freedom, as Taha (1967) articulated it means that a person may think as he wills, may say what he or she thinks, and may do what he or she says, provided that the consequences of what he or she says or does are for the good of all beings, humans and otherwise. This stage of absolute individual freedom is preceded by the stage of limited individual freedom within a given society. Limited freedom, according to Taha (1967), entails that a person may think as he or she wills, may say what he or she thinks, and may do what he or she says, provided that he or she must not infringe upon the freedom of others. If he or she does, a constitutional law would deal with the infringements, based on the precepts of Islam providing for the protection of society (lest freedom degenerate into anarchy). A constitutional law deals with any infringement upon the freedom of others. The Second Message of Islam, thus, provides for reconciling the individual's need for absolute individual freedom with society's need for justice (The Republican Brothers, 1980).

These original precepts of a reformist Islamic ethic would trace their roots in the transcendent Quranic verses revealed in Mecca. The transient verses of Medina include lower *jihad* verses. They also include verses that make men guardians of women, as explained earlier. In the spirit of the Mecca verses, freedom is only a hint of *Itlaq*, the Absolute, the infinitude of Allah. It is diffused on earth in portions suitable to our capacity to appreciate and practice responsibly. Therefore, the limitations of the codes dictated by the necessities of the seventh century are not fundamental. They were transient. The essence of freedom is the absolute. Limitation is only a transitional requirement related to the development of the individual within a community, and the dictates of the socio-cultural phase through which a community is passing.

Every individual, according to this view of Islamic universalism, has the right to a productive life and to freedom regardless of religion, race, or sex. The individual in such a system of thought is capable of limitless development. He or she pursues, through a healthy community, absoluteness in communion with Allah, in His absolute Oneness, and openness, in a constant quest for perfection. "The goal of the worshiper in Islam is to achieve the perfection of God, and the perfection of God is infinite" (Taha, 1987, p. 84).

Therefore, there is no final destination to be reached. The worshiper in this way is one who is free from all bondages. He or she is one who diligently strives to be free by striving to achieve the qualities of God, the Just, the Beneficent, and the Merciful. To this effect Prophet Mohammed said, "Embody the qualities of God, for my Lord is on the straight path."

What prevents us from discharging the responsibilities leading to absolute individual freedom is ignorance and selfishness. The ignorantly selfish may seek interest in things that are inconsistent with the interest of the community, whereas the intelligently selfless does not see his or her interest in incongruence with the interest of others. "One does not become a believer unless he wishes for his brother what he would wish for himself," Prophet Mohamed says.

MAHMOUD MOHAMED TAHA: THE EMBODIMENT OF ISLAMIC UNIVERSALISM

The [Medinese] Koran accepts slavery. The [Medinese] Koran appoints men to be "the protectors and maintainers of women," to whom women owe obedience … The [Medinese] Koran orders believers to wait until the holy months are finished, and then to "fight and slay the Pagans wherever you find them, and seize them, beleaguer them, and lie in wait for them in every stratagem (of war)." These and other verses … have become some of the favorite passages in the sermons, fatwas, and Internet postings of present-day fundamentalists to justify violence and jihad. An enormous industry of reform-minded interpreters has arisen in recent years to explain them away … .

> In confronting [these] verses head on, Taha showed more intellectual honesty than all the Islamic scholars, community leaders, and world statesmen who think that they have solved the problem by flatly declaring Islam to be a religion of peace [without interpretive sufficiency].
>
> (George Packer, 2006)

Ustadh Mahmoud Mohammed Taha, founder of The Republican Brothers, the reformist Islamic group, was executed in Sudan on January 18, 1985 by an Islamist military regime. He was reported by *The New York Times* and The *Washington Post* (January 19, 1985) to have been smiling when the hood covering his face was removed for a few seconds just before he was hanged. His followers, the Republicans, men and women alike, consequently, endured tremendous emotional torture, physical displacements, alienation, humiliation and unspeakable pain. The single exhibit before the judge who convicted Taha was a leaflet! (The entire text of the leaflet will be provided later.) In announcing his decision to boycott the proceedings of the court, Taha improvised a strong statement, which was translated by An-Na'im (1987) as follows:

> I have repeatedly declared my view that the September 1983 so-called Islamic laws violate Islam itself. Moreover, these laws have distorted Islamic Shari'a and projected it in a repugnant way. Furthermore, these laws were enacted and utilized by the government to terrorize the Sudanese people and humiliate them into submission. These laws also threaten the national unity of the country by discriminating against the non-Muslim segment of our society.
>
> This is my objection to these laws at the theoretical level. As at the practical level, the judges enforcing these laws lack the necessary professional qualifications. They have also failed morally when they placed themselves under the control of the executive authority, which used them to violate people's rights, to humiliate political opponents, and to insult intellect and intellectuals. For all these reasons, I am not prepared to cooperate with any court that had betrayed the independence of the judiciary and allowed itself to be a tool in the hand of the government to humiliate our people, insult thinkers and free thought, and persecute political opponents.
>
> (An-Na'im, 1987, p. 14)

The leaflet "This, or, the Flood," was issued in protest against the enactment of *Sharia* laws in Sudan. It was the only exhibit presented by the prosecution as evidence of sedition in the trial against Taha and four of his associates. Taha was executed within less than a month of the day of the issue of the leaflet, which was on Charismas Day in 1984. The four associates were spared after being coerced into a humiliating recantation session, which was broadcast on national TV and radio!

Issuing and distributing the leaflet on Christmas had its own symbolic significance because the timing was deliberate. It was meant to extend a hand by the Republicans, from within the ranks of Islam, to the persecuted Christian minority. The leaflet is certainly a very good representation of what Taha and the Republicans stood for. Here is a translated version of it:

> In the Name of God, the Beneficent, the Merciful Either This or, the Flood[2]
>
> And guard against a turmoil that will not befall the unfair ones alone, and know that God is severe in punishment.
>
> (*Quran*, Chapter 8, verse 25)

We, the Republicans, have dedicated our lives to the promotion of two honorable objectives namely, Islam and the Sudan. To this end, we have propagated Islam at the scientific level as capable of

resolving the problems of modern life. We have also sought to safeguard the superior moral values and original ethics conferred by God upon this people (the Sudanese), thereby making them the appropriate transmitter of Islam to the whole of modern humanity, which has neither salvation nor dignity except through this religion (Islam).

The September 1983 laws (that is, the series of enactments purporting to impose Shari'a law in the Sudan) have distorted Islam in the eyes of intelligent members of our people and in the eyes of the world, and degraded the reputation of our country. These laws violate Shari'a and violate religion itself. They permit, for example, the amputation of the hand of one who steals public property, although according to Shari'a the appropriate penalty is the discretionary punishment *ta'zir* and not the specific (*hadd*) penalty for theft, because of the doubt (*shubha*) inherent in the participation of the accused in the ownership of such (public) property. These unfair laws have added imprisonment and fine to the specified (*hadd*) penalties in contravention of the provisions of Shari'a and their rationale. They have also humiliated and insulted the people (of this country) who have seen nothing of these laws except the sword and the whip, although they are a people worthy of all due respect and reverence. Moreover, the enforcement of the specified penalties (*hudud*) and (*qassas*) presupposes a degree of individual education and social justice which are lacking today.

These laws have jeopardized the unity of the country and divided the people in the North and South (of the country) by provoking religious sensitivity, which is one of the fundamental factors that have aggravated the Southern problem (that is, conflict and civil war in the non-Muslim Southern part of the country). It is futile for anyone to claim that a Christian person is not adversely affected by the implementation of Shari'a. A Muslim under Shari'a is the guardian of a non-Muslim in accordance with the "verse of the sword" and the "verse of *Jiziah*" (respectively calling the people to use arms to spread Islam, and for the imposition of a humiliating poll tax on the subjugated Christians and Jews- (verse 5 and 29 of Chapter 9 of the *Quran*). They do not have equal rights. It is not enough for a citizen today merely to enjoy freedom of worship. He is entitled to the full rights of a citizen in total equality with other citizens. The rights of the Southern citizens in their country are not provided for in Shari'a but rather in Islam at the level of fundamental Quranic revelation that is the level of Sunnah [The Second Message of Islam]. We therefore, call for the following:

1. The repeal of the September 1983 Laws because they distort Islam, humiliate the people, and jeopardize national unity.
2. The halting of bloodshed in the South and the implementation of a peaceful political solution instead of a military solution (to the civil war in the Southern part of the country). This is the national duty of the government as well as the armed southerners. There must be the brave admission that the South has a genuine problem and the serious attempt to resolve it.
3. We call for the provision of full opportunities for the enlightenment and education of this (Sudanese) people so as to revive Islam at the level of Sunnah (the fundamental *Quran*). Our time calls for (The Second Message) not Shari'a (The First Message). The prophet, peace upon him, said "Islam started as a stranger, and it shall return as a stranger in the same way it started … Blessed are the strangers … .They (his companions) said "who are the strangers, oh, Messenger of God." He replied, "Those who revive my Sunnah after it has been abandoned."

This level of Islamic revival shall achieve pride and dignity for the people. In this level, too lies the systematic solution for the Southern problem as well as the Northern problem (that is, socio-economic and political problems of the Northern part of the country). Religious fanaticism and backward religious ideology can achieve nothing for this (Sudanese) people except upheaval and civil war.

Here is our genuine and honest advice. We offer it on the occasion of the Christmas and Independence Day (December 25 and January 1), and may God expedite its acceptance and save the country from upheaval and preserve its independence, unity and security.

December 25, 1984 The Republican Brothers

2 Rabi Al-Thani 1405 A.H. Omdurman

Shortly after the execution of Taha for "apostasy and sedition," with this leaflet being the only evidence of "the crime," trade unions and some political organizations rallied the public and led successful campaigns against violent Islamic fundamentalism. The outpouring of support for change resulted in a full-fledged uprising that, in turn, resulted in the overthrow of the fanatic dictatorship on April 6, 1985. A transitional, one-year, military government took over, with the mandate to prepare the country for free and fair elections. One year later, there was an elected civilian government ruling the country. Republicans jubilantly started to regroup and collect their shattered lives. Most were professionals: doctors, university professors, lawyers, teachers, diplomats, and college students. Many had a sense that their days with persecution and misery were over, but not for long. In less than four years, fanaticism returned. The elected government was overthrown, again, by a military coup, this time with vengeance and an ultra-extra dose of fanaticism and rage. The totalitarian junta, steered by civilian fanatic Islamic ideologues, ruled with an iron fist, and the result was all sorts of cultural, structural and direct violence (Galtung, 1990).

It was under the watchful eye, support and protection of President Omer Hassan Al-Bashir, leader of the coup, that Osama Bin Laden found refuge and sanctuary in Sudan before leaving for Afghanistan in the mid-1990s. Since then, Islamic fundamentalists have wreaked havoc in Sudan and in other areas in the Middle East and North Africa. They have used communication media skillfully and became a major international player. Without a doubt, now they have a lion's share in coloring international politics, especially in the Middle East, as they continue to put the rest of the world on a seemingly continuous reactive mode. This is why tackling this issue from global ethics and peace communication perspectives is an urgent imperative.

IMPLICATIONS FOR GLOBAL COMMUNICATION ETHICS THEORY

Islam, as a frame of reference, means different things to different Muslims and non-Muslims in the Middle East and beyond. Many recent examples demonstrate the ethical dilemmas facing Muslims today. For instance, a few months ago, Turki Al-Hammad, a "Saudi liberal" was arrested for having tweeted messages urging Muslims to rethink some long held Islamic views. His arrest invoked an intense debate on Twitter, the most powerful medium of public discourse today in Saudi Arabia. The two ends of the debate were reformists (practicing and non-practicing Muslims) on the one hand, and literalist extremists on the other. The reformists strongly object to narrow interpretations of Islam, arguing that universal values of freedom, justice, equality, and peace for all, regardless of faith, ethnicity, gender, and other forms of difference are the essence of Islam.

The literalists, on the other hand, think women are subservient to men and all non-Muslims are doomed unless saved by converting to Islam, voluntarily or by compulsion.

This is the background against which media messages are formed and consumed in the Muslim world. Like any other part of the of our current fast globalizing world, the Middle East brims with dynamisms of thought and conflicting ethical frames of reference that defy stereotypical perceptions of it.

While old modes of oppression may seem to be in control in most of the Middle East, reformists, in fact, are gaining huge support from the youth, the corner stone of the Arab Spring. The fact that Muslim fundamentalists are more organized and that they were able to gain political ground should not be mistaken for a sustainable grip on power. The real sustainable change rests in the power of media discourse being formed and daringly presented by reformists and the youths who are beginning to organize in order to be able to preserve the transformation (for which they, and the older generation of reformists, are so courageously and diligently sacrificing

lives and treasure). Advancing the universal values inherent in Islam seems a strong way out of ethical dilemmas, and the mayhem and confusion festered by extremist Muslims.

According to the Islamic reformist media ethics theory, embedded in the Second Message of Islam, the dignity of one individual is not subservient to the freedom of speech of another. Freedom of speech is not an end in and of itself. Speech that injures human dignity is not an expression of true freedom at all, because without preserving human dignity, we fail the test of being human, let alone being free. Accordingly, any journalist ought to use his/her faculty of observation, reason, consciousness, reflection, insight, understanding and wisdom, realizing that these are the *Amanah* (trust) of God in the human conscience. They must not be used to injure a human soul for the sake of self-promotion or selling news as if it is just another commodity. A journalist must not ignore God's purpose in creating this universe and various forms of life (Siddiqi, 2007). Thus, one implication of *Tawhid* is not to superhumanize those in power or those idolized as superstars of all kinds (Mowlana, 1989). The genuine practice of *Tawhid* also requires from a journalist to engage in *Jihad* against systems of thought and structures based on racism, tribalism, and social superiority (Siddiqi, 2007).

Another guiding Islamic principle, which should be revisited and refined through a reformist perspective, is *amar bi al-Maruf wa nahi an al-munkar* (calling for good and denouncing evil). While this notion asks all individuals and communal entities to publicly engage in calling for good and in denouncing evil, it becomes even more of a moral duty of a journalist to do so. A reformist Islamic approach would make this concept a tool for public debates about good and evil, in the frame of which a journalist can function as an agent of social change. Unfortunately, the erroneous understanding and present practice of *amar bi al-Maruf wa nahi an al-munkar* in some Muslim countries made it a political tool of coercion in the hands of governments (rather than a tool for energizing debates about good and evil in the public sphere).

Historically, Islam used channels of public communications, including mosques, to effectively mobilize public opinion and persuade individuals to work for the collective good though the pursuit of individual goodness. But in today's Muslim world not only have these media become ineffective in serving their originally prescribed role, but also many of them are actually being used as tools of destruction. Moreover, in today's highly individualistic and materialist global society, most of the press in the Muslim world seems to play the opposite role of *amar bi Munkar wa nahi an al Maruf* (calling for evil and denouncing good) by siding with the powerful and abandoning the powerless. Most forms and channels of mass media today are more in line with government and corporate stakeholders. They are more interested in conflict, contention, disorder, and scandal than in justice, peace, stability, and moral attunement (Siddiqi, 2007).

CONCLUSION

Islamic universals, as discussed in this chapter, are congruent with modernity in any progressive society, where the application of democratic principles ought to lead to social equality and justice. This kind of society, where people are secured against poverty, coercion and social discrimination is, however, only a partial answer to the crisis of modernity. This is because what essentially bedevils the individual person's life today is not lack of material things alone. It is fear, both acquired in a lifetime and inherited from animal and human ancestors. The construction of a good, fair and just society alleviates man's acquired fear. But inherited fear cannot be conquered without connecting to the source of all being, to the Absolute. Both levels of fear cannot be addressed unless it becomes clear that evil is contingent and transient, whereas good

is fundamental and permanent. This kind of knowledge is a precondition for achieving absolute individual freedom, the only worthy product of a good society, and the essence of Islam.

Universal Islamic media ethics, based on this vision, would help us refrain from sensationalism, stemming from the underlying principles that favor economic expediency and maximizing gain. Islam condemns such a utilitarian perspective of life because the wellbeing of the individual is a major building block of societal wellbeing. A decision of a journalist to cover a story, fairly, truthfully and candidly would not, in such an Islamic perspective, be in conflict with engaging in the coverage kindly and compassionately, bearing the community's interests in mind. A host in a talk show, who responds to callers from such a perspective, would not capitalize on sensationalism to draw audiences to his/her show for ratings' sake!

NOTES

1. An earlier version of this chapter was published as "Islamic Universals and Implications for Global Communication Ethics" in *The Journal of International Communication*, 23(1), 2017, pp. 36–52.
2. This leaflet is in the public domain, without copyright.

REFERENCES

Abou El-Fadl, Khalid (2004). *Islam and the Challenge of Democracy*. Princeton, NJ: Princeton University Press.

Galtung, Johan (1990). "Cultural Violence." *Journal of Peace Research*, 27(3), 291–305.

Mowlana, Hamid (1989). "Communication, Ethics, and Islamic Tradition." In Thomas W. Cooper (Ed.), *Communication Ethics and Global Change* (pp. 147–158). White Plains, NY: Longman.

Packer, George (2006). "The Moderate Martyr: A Radically Peaceful Vision of Islam." *The New Yorker* (Issue 2006-09-11).

Pew Research Center. (2011). "The Future of the Global Muslim Population." [Online]. Retrieved November 1, 2013. Available at www.pewforum.org/2011/01/27/the-future-of-the-global-muslim-population/

The Republican Brothers. (1979). *The Religion of Man: A New Conception of Islam*. Omdurman, Sudan: Publications of the Republican Brothers.

The Republican Brothers. (1980). *An Introduction to the Second Message of Islam*. Omdurman, Sudan: Publications of the Republican Brothers.

The Republican Brothers. (1984). *Haaza aw' At-toofaan [Either This or, the Flood]*. Omdurman, Sudan: Publications of the Republican Brothers.

Siddiqi, Mohammad (2007). **"**Ethics and Responsibility in Journalism: An Islamic Perspective." [Online]. Available at http://groups.yahoo.com/group/ppiindia/message/73441

Taha, Mahmoud Mohamed (1987). *The Second Message of Islam*. (Abdullahi An-Na'im, Trans.). Ithaca, NY: Syracuse University Press. (Original work published in Arabic, 1967).

West, Cornel (2004). *Democracy Matters: Winning the Fight against Imperialism*. New York: The Penguin Press.

27

Buddhist Moral Ethics

Intend No Harm, Intend to Be of Benefit

S. Holly Stocking

Once there was an Indian prince who led an easy, protected life. Cut off from the miseries of others, he did not know obvious suffering. Of regal bearing and possessed of many talents, he likely saw himself as a relatively independent person, able to function and accomplish many things without the help of others. As yet untouched by death, he likely lived, as most of us do, as if he were going to live forever.

But sometime in his twenties, restless and sensing there was more to life than material pleasure and accomplishment, the prince left home to seek Enlightenment. For years, he wandered among people from all walks of life, awakening to others' pain and suffering and to his own. Then one day, as he sat in deep meditation under a bodhi tree, his ordinary perceptions dissolved like a dream. With diamond-like clarity, the prince realized that no one—not even a prince—is immune to suffering, and that none of us is separate or permanent. To the contrary, we all suffer more than we realize; we are profoundly interdependent, affected by and affecting others more than we know, and nothing lasts—not our wealth, not our friends or families, not even our precious self. With this, the prince's heart burst open to a love and compassion deeper than anything he had ever known, and for 45 years, until his death at 80, Prince Siddhartha—now the Buddha or "awakened one"—taught to others the vast wisdom-knowledge that had roused his slumbering heart and brought him indescribable peace.

The teachings of the Buddha are vast and have taken many forms in the last 2500 years, but basic to all is the notion of our potential for good. Echoing developing findings in science, the Buddha taught that everyone has the capacity for love and compassion. What is more, he taught that each of us without exception has the potential to extend love and compassion not just to friends and family, but to strangers, and even enemies. This remarkable potential is like a seed buried within us. The problem, as the Buddha saw it, is that this seed is frequently hidden from view, covered over by weeds, or negativities, rooted in ignorance. All too often, the fast-growing weeds deny this seed much needed sunlight and other nourishment, so the seed lies dormant. In rare moments, when ordinary awareness is stripped away by life-threatening events, this seed may crack open and our positive potential thrust its way to the surface: We can see this when a hurricane or tsunami drowns a city, and moved by compassion, people rush to help total strangers; we can see it, too, when cancer or some other life-threatening calamity strikes us as individuals, and

suddenly deeper priorities grow clear.[1] More commonly, we unintentionally act in ways that stifle our positive potential and hide it, even from ourselves.

While it is true that tragedies can bring out the best in people, it was the Buddha's view that we don't have to wait for obvious life-shattering events to awaken our potential to love others and express compassion. For those with the capacity for discipline, he taught a system of moral ethics that can create the causes and conditions for it to arise and flower in the ordinary course of daily life. This ethical system involves the twin disciplines of weeding out negativities and actively providing the positive nourishment that feeds our positive potential. Or put another way, it is the discipline of abandoning negative or non-virtuous actions that prevent us from living out this potential, and it is the complementary discipline of adopting positive, helpful actions that show us, in very concrete ways, just who we and others can be. By engaging in these inter-related disciplines of the heart, we can gradually uproot the ignorance that leads to suffering and nourish the seed of love and compassion that leads to happiness.

The chapter that follows describes the Buddhist system of ethics, drawing on classic texts and commentaries written by Tibetan Buddhist teachers and supplemented by recent renderings aimed at Westerners.[2] Though I have made an effort to stay as close as possible to the most authoritative of these sources, much has had to be simplified for a non-Buddhist audience; those who seek to learn more should consult the original texts mentioned here, along with others. I also have taken the liberty of reducing the complementary ethical principles in Buddhism to "Intend No Harm," and "Intend to Be of Benefit." I have done this not just for simplicity's sake, but also to draw attention to the importance of intention. In Buddhist ethics, our actions are important, but our intentions are even more important. If we lie with a negative intention, it is very different than if we lie with a purely positive one. This is of great importance.

In addition to describing this ethical system, the chapter discusses the implications and applications of Buddhist moral ethics for mass media practice and for research and scholarship. Though Buddhist ethics bears strong similarities to traditional modes of reasoning taught in media ethics classes, there are also some intriguing differences. In applying this ancient ethical system to contemporary media practice, it is my hope to broaden existing normative approaches to ethical decision making in the media and to spur comparative studies of media ethics.

This discussion of Buddhist ethics is a natural response to the call in recent years to add non-Western voices to conversations about media ethics. Although Buddhist moral ethics remains one of the least familiar areas of Buddhist thought for Westerners, Buddhism itself is no longer a stranger. Increasing numbers of Buddhist students are migrating to the West, showing up in classrooms and giving impetus to efforts to globalize our understandings and teaching of ethics. Many Westerners without religious faith have found in the teachings wisdom to guide their lives. And even people whose ethics are deeply centered in other faiths have found in the teachings of Buddha much that enhances their own abilities to minimize suffering in themselves and others, and to maximize happiness. If nothing else, perhaps this discussion of Buddhist ethics will work to enlarge readers' understanding of their own ethical principles, deepening their awareness of their intentions and actions and the presumed effects of both on all who engage in media practice.

ESSENTIALS OF BUDDHIST ETHICS

Buddhist ethics has sometimes been boiled down to this injunction: "*Help* others if you can, but if you cannot, at least refrain from *hurting* others." This explains in part why intending no harm is typically mentioned first in discussions of this system of ethics; intending no harm to others is the *least* we can do.

INTEND NO HARM

Few of us intend to harm others. And yet we do, all the time. Caught doing something we know we should not be doing, we may tell a little lie. Discovering an umbrella or borrowed book in the back seat of our car, we may decide to keep it, knowing full well it belongs to an acquaintance, but liking it so much we don't give it back. Or cut off in traffic, we may hurl expletives out the car window. These may seem like small things, and they are, relative to other, more harmful acts chronicled every day in the mass media. But if we were honest and kept track, we might count up many such negative acts in our daily lives.

What makes these actions "negative" is the negative mind that generates them and the harm they do or suffering they cause that we often overlook. Road rage, for example, comes from a mind that wants everything to go our own way and is less concerned about others than about ourselves. Such rage may ruin the mood of the errant driver, and that person in turn may lash out at others, generating far-reaching unintended consequences. But even if our anger doesn't irritate the other person, it may disturb any peace of mind we might have had.

And these are not the only harms that negative actions can do. If we believe—as the Buddha believed—that what goes around comes around, our actions will bring us long-term consequences. Among other things, they will increase our familiarity with anger, making it easier to get angry the next time, at another stranger perhaps, or even a partner or a friend, and that person, reacting in turn to our anger, may hurl expletives back at us. Finally, we will make it much harder for the potential for good within us to stir to life and grow.

The Buddha saw very clearly the immediate and long-range harms that people do all the time to themselves as well as to others, and so counseled those he taught to abandon actions that cause harm. The particular actions he recommended that people abandon are ones that he saw most often contribute to personal unhappiness and community disharmony. In Tibetan Buddhism, which provides the basis for this chapter, ten such actions have come down through the ages; though there are many other non-virtuous behaviors in addition to the ten identified here, most are thought to be contained inside these.[3]

Echoing five of the "thou shalt not's" of the Ten Commandments of Christianity, the ten actions include killing, stealing, sexual misconduct, lying, and covetousness. But in addition, they include divisive speech, which disrupts harmonious relationships between individuals and groups; hurtful speech, which hurts someone's feelings; idle chatter or gossip, which is any talk that whiles away the time, without meaning or purpose; malice or ill will, which contrary to love, is the wish that others will come to harm; and holding wrong views, which includes (but is not limited to) ignoring or minimizing the fact that our actions have consequences (ignoring, in other words, the law of cause-and-effect, or karma).[4]

In Tibetan Buddhism, these ten actions are placed behind three "doors" representing our connection to the outside world: the door of the body, the door of speech, and the door of the mind, and they are ordered in ways that emphasize their presumed destructiveness to self and others, as noted in the chart below.

1.   Killing
2.   Stealing   BODY
3.   Sexual Misconduct
──────────────────
4.   Lying
5.   Divisive Speech   SPEECH

6.   Hurtful Speech
7.   Idle Chatter

_____

8.   Covetousness
9.   Malice   MIND
10. Holding Wrong Views

Under this ethical system, non-virtuous actions of the BODY (1–3) are generally presumed to be worse than those of SPEECH (4–7), by virtue of the relative amount of suffering they tend to cause. Of these, killing is generally regarded as the most destructive to others and ourselves and idle chatter (or gossip) the least harmful, with all those in between listed in descending order of destructiveness. A moral agent seeking to minimize the amount of harm his actions are likely to inflict on himself and others should thus seek to eliminate those actions of body and speech presumed to cause the most harm.

The last three non-virtuous actions, those of the MIND (8–10), are presumed to be causes of all the other non-virtues (1–7) and for this reason are generally considered the most destructive of all. A malicious thought, for example, can lead us to say hurtful things. And covetousness, which is the desire to possess what others have, can lead some of us to take what hasn't been offered (or steal) or to become sexually involved with someone else's partner (one form of sexual misconduct).[5] Indeed, the placement of actions of the mind at the bottom of the list suggests that such actions are at the "root" of all the other non-virtuous actions that cause suffering (though, importantly, their order of destructiveness is reversed, with the top action, covetousness, considered the least destructive of the three non-virtuous actions of the mind, and the bottom action, holding wrong views, considered the most destructive). While this would appear to suggest a need to abandon these actions above all others, actions of the mind are also considered the hardest to abandon, as they are implicated, in varying ways, in all the other actions. The good news is that because they are implicated in all the other actions, the more we work to abandon the non-virtuous actions of body and speech, the more we create the causes and conditions for abandoning non-virtues of the mind as well.

Not only does the amount of destructiveness associated with each non-virtuous action vary under this ethical system, but also within each action, there can be gradations of harm. Not all lies are equal, in other words. Some lies are worse than others, depending on a variety of factors, including the intention behind our actions, the method we use in taking the action, the object of the action, how often we commit the action, and whether or not we engage in positive actions to offset the negatives.[6]

Of all of these factors that affect the severity of a non-virtuous action, the most important is intention. In Buddhist thought, a non-virtuous action by its nature arises from a negative mind and can never be virtuous. However, some actions can be more severely negative than others as a function of the nature and strength of the intention. For example, if we kill out of jealousy or rage or with malicious delight it is a far more harmful action than if we kill with great reluctance, wishing we did not have to kill at all. Likewise, if we engage in divisive speech, which creates or reinforces a divide between people, and we do it with the explicit intention of stirring things up so people will hurt one another, it's far more harmful than if we do it while engaging in mindless gossip.

Such statements must not be misunderstood. Just because all lies are not equal does not mean that lies are condoned in this system of moral ethics. There may be rare exceptions when lies

can be told, not out of ignorance, but with clear awareness of what is at stake and compassion for everyone involved (in which case the lies are not considered non-virtuous at all; see next section, below). However, lies that arise from the kind of mindless, negative thinking that makes us separate from and more important than others (what we might call non-virtuous lies) are never condoned. This is because such lies do harm.

If we look carefully enough, it is possible to see the harm for ourselves. If we lie about something we have done (if we have strayed, say, from a committed relationship out of desirous attachment for someone else), we deny the person we are lying to the freedom to choose a course of action based on the truth. If discovered, our lie just adds to that person's distrust of us. Even if our lie is not found out, we know in our hearts we have lied, and we know from experience that our lying this time may make it necessary to lie again later; it may also make it easier to lie the next time, which if the lying goes on long enough can lead to a habitual tendency to lie. All this lying takes a lot of energy too, energy that might better be invested in more positive activities. Buddhist guidelines for moral conduct may not be absolutist, in the sense of prohibiting all lies, but they are clear that lies (and other non-virtuous actions that arise from a negative mind) generally do harm to ourselves and others, and if we want to minimize harm and create the causes and conditions that make it easier for our better qualities to arise, we should abandon as many of these actions as we can.

Abandoning non-virtuous actions (which is itself considered "virtuous" action in this system) is typically not something that can be done overnight. Especially if we have engaged in negative actions frequently enough to have made them into habits, it can require a great deal of discipline to change our ways. Knowing this, some Buddhists take vows for a day, or a week, or a month, to not indulge in a certain action, checking up on themselves with regularity, and if they slip, expressing regrets, taking other actions to repair any damage, and recommitting themselves to more positive actions. Others simply work to be mindful of every time they are tempted to engage in a particular negative action, and recognizing their actions could cause harm, work to find alternatives. Most people who exercise ethical restraint in these ways come to understand that even with the best of intentions they will make mistakes; all we can do is do the best we can, and over time, make improvements. To do nothing is to allow and create the causes and conditions for continued harm and suffering.

INTEND TO BE OF BENEFIT

But it would be a mistake to limit ethics to the moral injunction to *intend no harm.* Just as the *first* obligation of medical doctors has traditionally been thought to be to do no harm (*primum non nocere*), the larger obligation of physicians is to prevent and cure diseases, or, as we are discussing it here, to be of benefit. Likewise, in Buddhism, the least we can do to maximize our positive potential is to do no harm, but the most important thing to do is to be of help. Indeed, given the massive amount of suffering in the world, we should do everything we can to open our hearts to be of benefit, "applying steady, continuous effort" (Gyatso, 1995, p. 383).

The positive actions we can take to be of benefit are countless. Indeed, writers on Buddhist ethics often end their lists of things to do with a simple "etc." or "and so forth." Actions that remove others' ignorance, especially ignorance of our deep connections to one another and our responsibilities for each other, may be especially beneficial. One writer lists, as examples of positive actions, any work that alleviates others' suffering, removes dangers that threaten and arouse fears in others, consoles others, teaches skills that others need and do not possess, and helps others in ways appropriate to their views and customs (Gyatso, 1995, p. 454ff.). By engaging in

these and other positive actions, we nourish our own positive qualities, creating the causes and conditions for them to grow quickly and well, and for our own ultimate happiness.

As with abandoning harmful actions, our intention is critical to being of benefit. With a pure intention to be of benefit, it is possible in some circumstances to engage in an action like lying that with other motivations would be non-virtuous. In the Buddhist system of ethics, such an action can be positive, provided it is truly motivated by love and compassion for everyone involved (and not just for the most obvious "victims" in a situation).

Again, the apparent flexibility of this ethical system should not be misunderstood. Because so much of our mind tends to be rooted in ignorance, it can be easy to imagine we have the best of intentions, when in fact we may not; we may simply be striving for an outcome that will get us what we think we want, while hurting someone else along the way. Buddhism stresses that every one of us without exception wants to be relieved of suffering and to attain happiness; this is so even as we habitually chase after things that bring nothing but suffering. In this, despite superficial differences, we are alike. Given our fundamental similarities, everyone is deserving of our compassion. No one, regardless of station, is inherently more important than another.[7] So if we do engage in an action like lying, we should make sure our intention is to benefit *everyone* involved.

Finally, cultivating actions that are intended to benefit others is every bit as much a discipline as abandoning non-virtuous actions. Some Buddhists make it a practice to engage in particular kinds of positive actions over a period of time; actively consoling others, for example, through volunteer activities in a hospice or hospital. In this way, they gradually nourish the seeds of love and compassion. Over time, their hearts grow warmer and more open and more and more used to attending to others' needs as well as to their own.

IMPLICATIONS OF BUDDHIST ETHICS FOR MEDIA PRACTICE

Little, if anything, appears to have been written about the implications of Buddhist ethics for media practice.[8] However, for media professionals, who have in their hands the power to both reflect and contribute to suffering, Buddhist ethics appears to offer general guidance for how to practice in ways that will diminish suffering and maximize happiness. It appears to offer guidance related to the type of work we choose to do and the way in which we choose to do that work. It is also flexible enough to offer guidance for making decisions when particular values clash, as they do in ethical dilemmas.

GUIDANCE FOR THE KINDS OF WORK TO DO

If we assume, as Buddhism does, that our own happiness depends on the happiness of others and that everything we do affects others, and if we further assume that we are not independent moral agents but are affected by a variety of social influences (an assumption supported by scholarship; see Voakes, 1997), then the kind of work we choose to do, and for whom, matters. If we seek to reduce suffering and generate happiness for ourselves and others, we should refrain, for example, from taking a position in a company that has a reputation for lying or stealing and in other ways cutting ethical corners. Likewise, we should refrain from using our media skills on behalf of a company whose primary products, like alcohol or cigarettes, enable people to abuse their bodies and increase the chances that they will die prematurely. And it will be beneficial to refrain from working for a firm that greedily puts profits or ratings ahead of sound ethics.

It also will be helpful to seek out work that encourages us to actively benefit others, jobs in which the primary purpose is to assist people in need, to give a voice to the voiceless, for

instance, and to promote products and services (for example, medicines and educational materials or hospice care for the dying and programs that feed the hungry) that will improve peoples' quality of life or give people access to basic human rights.

It will be beneficial, in short, to avoid a livelihood that does harm and seek instead what some Buddhist traditions call "right livelihood," work that avoids harmful actions and that encourages helpful actions instead.

This is not to say that we are going to always be free to choose our occupation or place of employment. If we have limited opportunities or a family to support, for example, we may not have the luxury of choosing the work we do or the company we work for. But where we can make choices in the best long-term interests of others, and ourselves, we should try to do so.

GUIDANCE FOR DOING THE WORK

Buddhist ethics not only offers useful guidance for the kind of media jobs to seek; it also offers guidance for conducting ourselves in *whatever* media work we choose to do.

If we seek to follow Buddhist prescriptions for abandoning non-virtuous actions in our work, we would want to think twice, for example, before:

- wrongly appropriating intellectual property off the Internet or snatching from ordinary people privacy that is not freely given (stealing);
- using sex as a mere seduction to gain access to information from a source or competitor (sexual misconduct);
- using deception to gain information from a source or competitor, or hiring actors or creating front groups to promote causes without identifying who they represent (lying);
- using labels and information that stereotype groups and magnify a divide between "us" and "them" (divisive speech);
- producing programs or writing blogs that make thoughtless use of abusive language (hurtful speech);
- generating stories about celebrities or others that are little more than titillating gossip and as a result distract us from more meaningful work and lead others to not take us seriously (idle chatter).

To the extent that these and other questionable actions arise from a negative mind, we should exercise restraint. Only with a positive mind, with the pure intention to be of benefit to *everyone* involved, should we consider engaging in them.

Consider an opportunity to report on the wayward behavior of a major celebrity. If we are considering such reporting out of greed—because it would gain ratings or hits from a celebrity-crazed audience or because it would keep up with or beat out the competition—it would be best to refrain from such reporting. On the other hand, if we have the pure intention to provide information that will help both the celebrity and those who feed on celebrity to understand the pressures that fame and material wealth can place on a vulnerable personality, then reporting on this wayward behavior may be justified.

The challenge is to be sure we are not fooling ourselves. As noted earlier, it is extraordinarily easy in our ignorance to pull the wool over our eyes; people can rationalize all kinds of negative behaviors. Given this, engaging in actions that are generally defined as non-virtuous (actions like lying, for example) is almost never recommended. If there is an alternative action we might take, we should definitely explore it.

Of course Buddhist ethics not only offers guidelines for the kinds of actions we should try to abandon when doing our jobs, it also encourages people to look for ways to be of benefit. This can mean finding ways to use our knowledge and talents to actively reduce ignorance and relieve others of their suffering. This might mean producing stories that give voice to those who have been deprived of basic human rights, so that solutions can be found, and relief granted. It might mean investigating dangers in the environment, so citizens and authorities can work for laws and policies that will reduce the risks. It might mean offering "news you can use"—for example, science-based stories on conflict resolution, so people can learn ways to resolve conflicts with co-workers, playground bullies, and members of their own families. If one is in PR or advertising, it might mean doing *pro bono* media relations work or producing television commercials for organizations that help victims of hunger, violence, or turbulent weather.

But actively working to relieve others of their suffering is not the only beneficial thing we can do. We can also actively work to celebrate the loving and compassionate deeds of ordinary people, deeds that otherwise would go unremarked. His Holiness the Dalai Lama, has expressed this in his popular book *Ethics for the New Millennium*:

> When the media focuses (sic) too closely on the negative aspects of human nature, there is a danger that we become persuaded that violence and aggression are its principal characteristics. This is a mistake, I believe. The fact that violence is newsworthy suggests the very opposite. Good news is not remarked on precisely because there is so much of it. Consider that at any given moment there must be hundreds of millions of acts of kindness taking place around the world. Although there will undoubtedly be many acts of violence in progress at the same time, their number is surely much less. If therefore, the media is (sic) to be ethically responsible, it needs to reflect that simple fact.
>
> <div align="right">(Dalai Lama, 1999, p. 186)</div>

The late Harvard University scientist Stephen Jay Gould made a similar point following the terrorist attacks on September 11, 2001, which gave Americans a close-up look at the human capacity to inflict harm. In Gould's words, "Every spectacular incidence of evil will be balanced by 10,000 acts of kindness, too often unnoted and invisible as the 'ordinary' efforts of a vast majority." And "when an unprecedented act of evil so threatens to distort our perceptions of ordinary human behavior," human beings have "a duty, almost a holy responsibility, to record and honor the victorious weight of these innumerable little kindnesses" (Gould, 2001, p. A23).

Put another way, if the media spew out negative information all the time, people may come to regard the world as a fearful place, full of people who are greedy, corrupt, hateful, and threatening. On the other hand, if the media also run positive stories—if they show ordinary people helping a city rebuild after a horrendous flood or if they show children organizing campaigns to feed hungry children on the other side of the globe—people may come to see the potential for the good that they and others possess. What media professionals focus on, whether it is positive, negative, or trivial, thus matters, to us all.

GUIDELINES FOR ETHICAL DILEMMAS

Buddhist principles also have implications for decision-making in ethical dilemmas, situations in which values conflict and there is no clear right answer.

Consider a case in which a television reporter has received a tip that institutionalized adults with developmental disabilities are being abused by their caregivers. The tipster is certain the institution will not allow in reporters. Lying in this system of ethics is generally presumed wrong.

But is it impermissible in the interests of righting another wrong for a journalist to lie about her identity to secure a staff job and then document the abuse with a hidden camera?

In Buddhist ethics, our first obligation is to do no harm. Since lying is generally presumed harmful, we should make great effort to find a way to do the story without lying. Is it possible, for example, to get the story by talking to the tipster and other staff members inside the institution that this person trusts? If there is another way to get the story, we should.[9]

But let's say we discover there *is* no way to do the story without lying. Wouldn't it be okay, out of compassion for the victims, to lie to the few to benefit the many? If we assume, as Buddhist ethics does, that everyone without exception is deserving of compassion, then deliberately harming one group for the sake of another, even if the second group would benefit, would be questionable. In this particular case, it might be better to ask the tipster to go to the authorities. Let government officials do the investigating. This would avoid the harm that lying presumably would do to ourselves and to those lied to, and at the same time it would benefit the victims by exposing their suffering (and, incidentally, benefit the perpetrators by interrupting their negative deeds, which will only bring them grief). We can always bring the mistreatment to the public's attention, once it is exposed by authorities. Admittedly that will not be the kind of story we can run during sweeps week or submit for journalistic prizes (a very real drawback of this particular approach for the business of media), but if we are truly seeking to do no harm and be of benefit, we wouldn't want to do the story just to gain audience share or garner prizes in any event, as such reasons arise from covetousness or greed, which are themselves non-virtuous actions of the mind.

But let's imagine, for sake of argument, that the authorities are corrupt, taking bribes from the institution to not investigate the allegations of mistreatment. In such a circumstance, going to authorities is not an option. Wouldn't refusing to do the story, when we have the opportunity to bring this mistreatment to light and the attendant corruption as well, make the journalist complicit in the continuing suffering of the victims and the ongoing corruption? Does lying remain impermissible even when it is the only way to do a story that could stop the harm that others are doing and be of benefit?

Any system of ethics that lists ten non-virtuous actions may appear on the surface to be rigidly moralistic. But in this case, it is not. As noted earlier, an action under this system can be more or less right as a function of a host of factors. Of these factors, the most important is our intention or motivation. If we are experiencing such outrage that we can't wait to get inside the institution to film and punish the caretakers, this is not a positive mind; it is, in fact a mind seized by malice; given this negative state of mind, the use of deception would be considered non-virtuous, presumably harming not just others, but ourselves as well.

On the other hand, if our intention is to help everyone involved, including the caretakers, who presumably will suffer even more with respect to their long-term happiness if allowed to continue, the lie could be considered virtuous, and justified. Jail time for the caretakers, from this perspective, would tend to be regarded as preferable to allowing the caretakers to continue what they are doing because at least it would put a stop to actions that harm not just their victims, but themselves.

Our intention, if it is positive, will likely have direct implications for the reporting and framing of the story. Whereas traditional investigative journalism typically reflects outrage over the actions of one set of people (and for this reason is often called the "journalism of outrage"), this other kind of journalism (what might be called the "journalism of compassion") will reflect compassion for everyone involved. More precisely, it will reflect the realization that every one of us has not only the capacity for good, but also a capacity—at varying times and in varying degrees—to get caught up in situations that lead to harmful actions. Reporting may thus include, in addition to investigation of the qualities of individual staff members, investigation of

staff-patient ratios, length of workdays, job qualifications and hiring practices, and other causes and conditions that have contributed to this sad state of affairs.[10]

Obviously, a report that shows caretakers beating up helpless adults is going to be shocking and generate outrage, but we can hope that the piece, if motivated by compassion, will also provide information that will enable viewers to move beyond these initial visceral reactions to an understanding of the complexity of factors that have converged to produce wrong actions and suffering. It is possible to imagine such a story garnering professional prizes and high ratings, no less than a story that is done for other reasons. It may not always be possible for our work to be both ethical as this system of ethics defines it *and* good for business, but if we are truly interested in using our work to help reduce suffering and generate happiness, it is a goal worth striving toward.

IMPLICATIONS FOR RESEARCH AND SCHOLARSHIP

Buddhist ethics presents challenges to both normative and descriptive scholars of media ethics.

NORMATIVE ETHICS

In many ways, Buddhist ethics resembles the classical ethical reasoning of philosophers steeped in Christian perspectives. However, there are also striking differences, both significant and subtle, that deserve exploration by normative scholars.

The similarities:

- Buddhist ethics shares with the utilitarian ethics of John Stuart Mill a concern for maximizing happiness and minimizing harm and a recognition that actions can have harmful (or beneficial) consequences that contribute to both.
- It appears similar to the rule-based system of Immanuel Kant, which counsels actions that conform to rules or duties that respect the dignity of all and that we would want everyone to follow.
- It shares with the ethics of Aristotle a concern for cultivating positive moral habits.
- The differences lie in the details:
- Unlike utilitarian ethics (at least the version of utilitarian ethics most widely taught in our field), Buddhist ethics does not determine the moral worth of an action as a function of its calculated potential to maximize the happiness of, and minimize the harm to, the greatest number of actors in the immediate situation. Instead, on the assumption that all beings without exception deserve happiness and relief from suffering, it seeks to maximize happiness and minimize harm with respect to everyone in the immediate situation and also with respect to everyone who might be subsequently affected by the actions. In doing so, it presumes that some actions are more likely than others to maximize happiness and minimize harm now and in the future. It's not that this system ignores the potential consequences of actions for individual actors in the immediate situation. However, it rejects choosing an action merely on that basis. In this system, of far more importance than calculated consequences is our motivation or intention. On the assumption that the mind guides all our physical and verbal actions, the emphasis is on thoughts and feelings, which can be trained and controlled over time, rather than on what arises in the moment on the outside, which in any event is usually beyond one's immediate control.

- Although Buddhist ethics appears to share with Kantian reasoning an emphasis on universal principles that have long-range consequences for individuals and society, it does not ignore immediate consequences as Kantian reasoning does; immediate consequences do figure in this system, they simply are less important than other factors, especially intention. There are other important differences too. Kantian rules or duties are so absolutist that they make it difficult to know what to do when actions adhering to different rules or duties conflict in a given situation. Buddhist ethics, on the other hand, weighs various actions according to their general ability to inflict harm, allowing us to make choices depending upon the presumed degree of harm we might inflict with a given option. In this sense it comes closer to William David Ross's weighing of *prima facie* rules or duties, which makes decision-making possible when rules or duties conflict. But Buddhist ethics departs in some critical ways from Ross's system too. These include the fact that Buddhist ethics attends to *additional* factors that can mitigate the moral weight of a particular action, including (but not limited to) our intention or motivation.
- Buddhist ethics would appear to most closely resemble Aristotelian ethics with its concern for cultivating positive moral habits and character. However, it can be argued that Buddhist ethics provides more specific guides to moral action than Aristotelian ethics; at least it provides more than the simplified versions of Aristotelian ethics often taught in media ethics classrooms, which do not identify specific acts of virtue other than actions that flow out of cardinal virtues that lie between "extremes."[11] Technically, Buddhist ethics are not concerned either, as Aristotelian ethics are, with cultivating character, for character implies a sense of self that is separate from others and stable, which in Buddhist philosophy is a distortion of a reality that is profoundly interdependent and (despite individual and collective denials to the contrary) impermanent.
- As should by now be clear, of particular importance in Buddhist ethics is restraint of non-virtuous actions of the *mind*. The actions of the mind identified in the context of moral ethics are particular forms of attachment, anger and ignorance, which arise out of our need to protect and advance a separate, permanent sense of self, and are presumed to be a root cause of suffering. In cultivating moral ethics, we assume responsibility for restraining our mental activities (which include thoughts and emotions), as well as our physical and verbal actions.
- Scholars interested in comparative ethics would do well to delineate these and other similarities and differences and to compare in given situations the reasoning and outcomes of this system against other ethical systems. Of particular interest might be comparisons to John Rawls's veil of ignorance, communitarianism, and perhaps most importantly, the ethics of care. It could also be beneficial to compare how these differing systems fare under the ever shifting and complex conditions for moral choice.

DESCRIPTIVE ETHICS

For scholars with descriptive interests, at least two challenges present themselves. Although Buddhist thought is not always conceived of as religious, there are enough similarities to traditional faith systems to make scholarship on the interplay of religious and professional norms of relevance to this project. Sociological research on mass media practice on the part of those who identify themselves as Christians suggests that when professional and religious norms clash in the workplace, professional norms take precedence (Schmalzauer, 1999). But this literature, which includes a monograph by Boeyink (1998), also suggests that where there is no conflict, there is

considerable room for the application of religious ethics in one's work; the journalists find niches and strategies that allow them to live out their religious values. When Buddhist journalists work in the media, do they likewise bow to professional norms when they conflict with Buddhist principles? And how do the niches and strategies they find for expressing their values compare with those identified by workers who identify themselves as Christians?

In a related vein, when media professionals who subscribe to Buddhist ethics encounter ethical dilemmas in the workplace, do they make different choices from those that Christian professionals make? If and when Buddhist-dominated countries adopt Western-style codes of ethics, are the provisions of the codes interpreted in different ways than they would be in the West, as one might expect based on the work of Wasserman and De Beer (2010) and others?

CONCLUSIONS

Buddhist moral ethics, while unfamiliar to many in the West, offers a measure of guidance for the kind of work media professionals may choose, for the ways they may do their work, and for ethical quandaries. While this system from the East shares similarities with ethical systems of the West, there appear to be important differences, which deserve to be explored by normative and descriptive scholars alike.

Will Buddhist ethics lead to different decisions by media practitioners? And if it does, will these decisions, in turn, affect the extent to which media content reflects and contributes to suffering?

The value of this system for media scholarship and practice in the West will depend on its perceived promise for raising new questions, offering new insights, and affecting the ethics of practitioners in positive ways. If this chapter does nothing but open the discussion of these matters, it will have served a useful purpose.

ACKNOWLEDGEMENTS

NOTES

1. The bestselling book *Tuesdays with Morrie* by Mitch Albom is a good example of the latter.
2. The most scholarly source is a teaching by the late Pabongka Rinpoche based on fifteenth century teachings for monastics in the Gelupga lineage of Tibetan Buddhism by Tibetan Buddhist teacher Lama Tsongkapa. This source, which is on the stages of the path (or lamrim), comes in two translations: a

1991 translation, *Liberation in the palm of your hand: A concise discourse on the path to enlightenment*, and a three-volume translation, *Liberation in our hands: Part one: Preliminaries (1990), Part two: Fundamentals (1994) and Part three: The ultimate goals (2001).* A more condensed scholarly source on the stages of the path is Geshe Kelsang Gyatso's *Joyful path of good fortune: The complete Buddhist path to enlightenment.* Other, less scholarly and more wide-ranging sources on Buddhist ethics include His Holiness the Dalai Lama's *Ethics for the new millennium* and the book by Jonathan Landaw with Stephan Bodian, *Buddhism for dummies*, a surprisingly accurate rendering of Buddhist ethics (in its many variations), written by a former English translator for His Holiness the Dalai Lama.

3. The thinking behind asking followers to abandon non-virtuous actions is the same across traditions of Buddhism, though the precise actions, in kind and number, vary slightly. See Landaw with Bodian (2003, p. 227).

4. The law of cause-and-effect, or karma, states that over the long run, if not immediately, positive causes will have positive effects, and negative causes will have negative effects. Because actions have consequences, how we act matters. Karma is thus not the passive thing that many Westerners mistakenly believe it to be, but something we ourselves influence with every choice we make. If we make the positive choice to abandon actions that are motivated by narrowly selfish interests and if we adopt instead actions that are motivated by genuine love and compassion and the wish to be of benefit, the law of karma says that we can have confidence that at some point (a point we may not be able to see clearly right now), we will experience the positive consequences of those choices: it will grow easier and easier to act in ways that will feed the positive seed within us, allowing it to rise up, grow, and flower. Over time, we will "reap what we sow."

5. An important caveat is in order here: While it is generally true that actions of the mind are more destructive than actions of body and speech by virtue of their involvement in these other actions, it is also true that an action of the mind that is *merely* an action of the mind is going to be less destructive than an action of the mind that is accompanied by an action of the body or speech; so, for example, if we covet a person's hat (an action of the mind), but do not actually steal the hat (an action of the body), it is going to be less destructive than if we both covet the hat and actually steal it.

6. To be more specific:
   • The intention behind our actions. For example, if we lie out of revenge, with a strong intention to hurt someone, it is presumed more destructive than if we lie just to get out of something.
   • The method we use in taking the action. If we develop an elaborate lie, embroidered with details intended to deceive, for example, it is generally considered worse than if we lie by indirection or omission. Likewise, if we involve others in the deception, it is worse than if we alone deceive.
   • The object of the action. If we lie to people who have been especially kind to us, for example, it is presumed to be more destructive than if we lie to strangers, not because strangers are inherently less important than those who have been especially kind (they are not ultimately, all beings are equally valuable), but because the amount of suffering is likely to be greater.
   • How often we commit the action. If we lie regularly, for instance, it is much worse than if we lie only occasionally, as a last resort.

   Whether or not we engage in positive actions to offset the negatives. If we engage in negative actions only, it is far worse than if we engage in negative actions supplemented by actions that benefit others.

7. Though, as indicated earlier, some may be hurt more than other by our actions.

8. One exception is a previous book chapter by the author, "A Teacher's Last Lesson: Love Each Other or Die," in Howard Good's edited volume, *Desperately Seeking Ethics: A Guide to Media Conduct.* That chapter is not explicitly about Buddhist ethics, but it is based on ethical principles from this system.

9. This is consistent with many professional and organizational codes of ethics, which counsel journalists to use deception to gather a story only as a last resort.

10. From a Buddhist perspective, there would be even deeper causes to explore, but these are not causes that would be easily conveyed in the news.

11. Some scholars might argue—as one reviewer of this chapter did—that this is "too restrictive of Aristotle." In the words of this reviewer, "some versions do limit themselves to acts of virtue constrained

by the cardinal virtues, but not all. And to claim that Buddhist ethics provides more specific guides to moral action doesn't give enough credence to Aristotle's *phronesis*, practical wisdom." Given my own inabilities to address this critique, I regret I must leave this to scholars of ethics to sort out in future comparisons of Aristotelian and Buddhist ethics.

REFERENCES

Albom, M. (1997). *Tuesdays with Morrie: An old man, a young man, and life's greatest lesson*. New York: Doubleday.

Boeyink, D. (1998, June). A search for meaning in the media. In D. H. Smith & R. B. Miller (Eds.), *Religion, morality and the professions in America, monograph series* (pp. 10–27). Bloomington, IN: Indiana University Poynter Center for the Study of Ethics and American Institutions.

Dalai Lama, His Holiness the (1999). *Ethics for the new millennium*. New York: Riverhead Books.

Gould, S. J. (2001). A time of gifts. *New York Times*, Sept. 26, p. A23.

Gyatso, Geshe K. (1995). *Joyful path of good fortune: The complete Buddhist path to enlightenment*. London: Tharpa Publications.

Landaw, J. with Bodian, S.. (2003). *Buddhism for dummies*. New York: Wiley.

Rinpoche, P. (1990, 1994, 2001). *Liberation in our hands. Part one: Preliminaries, Part two: Fundamentals, Part three: The ultimate goals* (Trijang Rinpoche with Sermey Khensur Lobsang Tharchin and Artemus B. Engle Trans.). Howell, NJ: Mahayana Sutra and Tantra Press.

Rinpoche, P. (1991). *Liberation in the palm of your hand* (T. Rinpoche & M. RichardsTrans.). Somerville, MA: Wisdom Publications.

Schmalzauer, J. (1999). Between professional and religious worlds: Catholics and Evangelicals in American religion. *Sociology of Religion*, 60(4), 363–386.

Stocking, S. Holly. (2003). A Teacher's Last Lesson: Love Each Other or Die. In Howard Good (Ed.), *Desperately Seeking Ethics: A Guide to Media Conduct*. Lanham, MD: Scarecrow (pp. 1–19).

Voakes, P. S. (1997). Social influences on journalists' decision making in ethical situations. *Journal of Mass Media Ethics*, 12(1), 18–35.

Wasserman, H., & De Beer, A. S. (2010). Glimpses through the windowpane: A South African perspective on universal media ethics. In R. S. Fortner & P. M. Fackler (Eds.), *Ethics and evil in the public sphere: Media, universal values & global development* (pp. 133–152). Creskill, NY: Hampton Press.

28

Communitarianism

Mark Fackler

Every relationship is a mutual action—Ferdinand Tönnies

INTRODUCTION: A DEFINITION AND EXAMPLES

Communitarianism is the social strategy that distinguishes peace-loving virtues from greed-hoarding impulses. Communitarianism argues for the former because, in the main, human experience has shown that people prosper when tribalism and egoism give way to generosity and fair-play as first order responses. Even Genghis Khan, the Asian general whose total-war ferocity shook the thirteenth century, demonstrated that consistent fairness and truth telling built empire faster and with less bloodshed than any medieval code of honor, encrusted with class and heavy with elitism and privilege (Weatherford, 2004, p. xix). Community grows under a regime of predictable good will tending toward fearless communication of dissent and negotiated hierarchies of function attentive to the advantage of the least powerful members.

Communitarianism is both ontology and praxis. As a way of being, it is evident primarily in the middle-range bonds of trust and loyalty that come voluntarily to persons who understand that fulfillment, happiness, and *eudaemonia* evolve through relationships and never in isolation from them. The practice of communitarianism varies from sports fandom to blogging to church or party membership. In every way not forced by the state that people combine for cooperative action and sustain their mutual effort without corruption, communitarianism is evident. Communitarians claim that such praxis is a non-negotiable priority in any successful life. This practice is ideally first experienced in family (Kirkpatrick, 1986, p. 173). Actions that typify family-care then extend to larger and more diverse groups by those who properly understand their identity and vocation. The number of sociologists and commentators who have exploited this movement from family-care to community is legion. Ferdinand Tönnies captures the heart of it in his classic distinction between *Gesellschaft* and *Gemeinschaft* (Tönnies, 1963, p. 33).

The identity of the individual in communitarian theory emerges as an ontological recognition of the primacy of relationships. The communitarian "is a person whose identity and fulfillment are inextricably bound up with relations and communities. Other people are constitutive of rather than instrumental to my identity and well-being as a person" (Fergusson, 1998, p. 143).

This reorientation, as Ernst Cassirer (1954) clarified, agitates against the Enlightenment notion of the autonomous individual, who may for purposes of survival or economic improvement freely choose to align with others. Rather, communitarianism insists that mutuality defines and constitutes the person. Without relationships, and therefore communicative sharing, the idea of personhood vanishes. Understanding and defining oneself as a person requires knowing and sharing that "self" with others. Under a communitarian rubric, the person is not incorporated or absorbed in the Other, as in communalism, but establishes a distinctive ontological identity in nexus with others, never isolated or free-floating. John MacMurray explains:

> The self is constituted by its relation to the other; this relationship is necessarily personal … the idea of an isolated agent is self-contradictory. Any agent is necessarily in relation to the other.
>
> (cited in Kirkpatrick, 1986, p. 173)

These ideals, both ontological and workaday, are obviously tenuous, fragile, and sometime invisible. The distinguished commentator Peggy Noonan has observed "what used to be a sorry pretense of community in the public sphere is presently a spirit of maximalism—let's rub their faces in it" (Noonan, 2019, p. A17).

David Brooks, another steady observer of the commonweal, adds: "Our society suffers from a crisis of connection, a crisis of solidarity. [We have] become a conspiracy against joy…with too little emphasis on the bonding parts of our consciousness, the heart and soul" (Brooks, 2019, pp. xvii, xxii).

It does appear that the communitarian impulse is most evident when a group faces stress, opposition, or danger. War grows the communitarian impulse, in a limited sense, as small units of combatants on both sides pledge life and limb to the survival and success of the unit (Brooks, 2019, p. xxv). Political wars show similar tendencies to forego personal interests for party unity. Religious wars, or wars of the state against religion such as the Chinese and Myanmar governments, among others, have recently conducted, also draw selfless action from the oppressed in a style communitarians recognize.

Thus the sociological realities of communitarianism betray its ontological ideals, which include transparency, nonviolence, and mutual care (Christians, 2019a, pp. 101ff.). This faultline has never been successfully patched together, but communitarian idealists press on.

APPLICATION TO THE MASS MEDIA

Inklings of communitarianism as a basis for an ethic of mass media show in the establishment of public broadcasting agencies, independent of government and mandated to public service. The BBC and particularly its World Service exhibited early ambitions to serve the common good. Consider that long after British colonial control in Africa and Asia ended, the BBC has been a media mainstay across those continents. In the U.S., broadcasting and later the motion picture industry demonstrated that public service regulation—or with the Hays' Office, industry self-regulation—seemed a foothold for communitarian sentiments as "the Invisible Empire of the Air" (inventor Lee De Forest's term) and screen developed their immense influence and fortunes (Lewis, 1991, p. 1). Recent work on the Al Jazeera network points out unique features of communitarianism—cosmopolitan ethics, human dignity, nonviolence and peace journalism—though the network remains a work in progress, not a completed model (Christians, 2019b, pp. 221–236).

The most impressive prelude to communitarianism, in terms of anchoring media responsibility, was the Commission on Freedom of the Press chaired by Robert Maynard Hutchins in the 1940s. The commission's findings were published in *A Free and Responsible Press* in 1947 and given academic currency by the worldwide influence of that little after-thought book by Siebert, Peterson, and Schramm in 1956, *Four Theories of the Press*. The University of Illinois scholars called Hutchins's work the social responsibility theory of the press, highlighting the commissioners' call for a media that would serve the public, challenge state power, and give voice to those on the margins.

Among the leaders of academe, business, and public policy whom Hutchins recruited to his panel, none wrote more on the moral life and media than William Ernest Hocking, who celebrated communication as the essential human responsibility. No person can live a truly human life in seclusion, ignoring the commonweal, Hocking contended (see Christians and Fackler, 2014). Consciousness and thought require the filling of the space between, the zone of the relation.

> Whatever one's final philosophy, it can never be held as a purely private result. As a supposed body of truth about the living world, there is inseparable from it the impulse to knead it into the self-consciousness of the world.
>
> (Hocking, 1926, p. 319)

Hocking's colleague on the commission, theologian Reinhold Niebuhr, joined paradox and promise to his vision for social justice through value-rich mediated news and entertainment. Love—other-minded care—was the ultimate social norm, he insisted. To be effective in public affairs, love must find expression in norms of justice (Niebuhr, 1957, p. xiii).

Of the five goals for mass media reform recommended by the Hutchins commission, the second and fourth were most coherent with later communitarian themes: to be (2) a forum for the exchange of comment and criticism, and provide (4) the presentation and clarification of the goals and values of the society (Leigh, 1947, pp. 23, 27). These commonplace recommendations were assailed by mid-twentieth-century media chiefs but embraced by subsequent generations around the world (Christians and Nordenstreng, 2004). Responsibility with a communitarian inflection has likewise become an international phenomenon, with its core meaning of duty to others understood across cultures and enriched in depth and application by the world's diversity (Sizoo, 2010). Clemencia Rodriguez demonstrates that community-based journalism in Colombia can "trigger communal processes" to find meaning and solidarity when facing war and terrorism (2011). The idea of "intermediary associations" in Confucius has attracted Asian scholars to communitarianism for connecting Confucian thought to the values and practices of citizenship (de Bary, 1998).

Among social responsibility advocates, Hutchins is remembered as a champion of the Great Conversation, values-based dialogue that extends from the beginning of human ethical reflection to a present sorely in need of ethical refreshment. No obscurantist, Hutchins wanted "the voices of the Great Conversation to be heard again because we think they may help us to learn to live better now" (Hutchins, 1954, p. 3). Hutchins's optimism about a renewal of civil discourse was mirrored by each of his commissioners. Archibald MacLeish, the longest surviving member, made repeated reference to the relation-between as "imagination," the basis of human dignity.

> The real defense of freedom is imagination, that feeling-life of the mind which naturally knows because it involves itself in its knowing, puts itself in the place where its thought goes.
>
> (MacLeish, 1958, p. 20)

Following the thinking of Hocking, Niebuhr, and Hutchins, communitarians challenge modern Western notions of press and public, built as they are on Lockean and capitalist presuppositions. Western moral systems, assuming an individualist base, require that the press tell the truth in order that well-informed decision-makers (voters and policy makers) have access to accurate, current, and unbiased data (Ward, 2015). Communitarianism reorganizes these requirements: truth celebrates values hammered out through dialogue, debate, and compromise. The press is the most influential means of publicizing the dialogue on values. In classical liberal media theory, one might legitimately claim that speech rights are absolute—a natural right. Conscience is the supreme moral guide and unfettered speech the first requirement of an open marketplace of ideas. A communitarian speaking about media responsibility would consult as a first priority the needs, wants, ambitions, and wisdom of his or her community. Public or civic journalism reflects this second-effort at democratic cooperation (Rosen, 1999, p. 19).

Over its history, communitarianism wrestles with its identity and direction in the face of a dominant atomistic-contractarian model of community, or anti-community, as Kirkpatrick explains (1986, p. 137). Kwame Appiah (2006) prefers the term "cosmopolitanism" and cites the Cynics of the fourth century B.C. as the first who were self-consciously "citizens of the cosmos." Local loyalties were insufficiently tribal to account for the moral obligations borne by all humans for all others. Appiah points to the first-order obligation of developing "habits of coexistence: conversations in its older meaning, of living together, association" (Appiah, 2006, p. xix). *We the Cosmopolitans* (2014) elaborates by demonstrating that the morality and humanity of communal relations make it possible to be at home in the world.

Appiah's roots in the Akan culture of West Africa serve as a bridge between Western scholars dealing with the wreckage of Enlightenment individualism and African scholars exploring the depth of intersubjectivity, which appears as self-evident truth in that region, unencumbered by Enlightenment bias. Another Akan scholar, Kwasi Wiredu, situates communitarianism in the immediate life-world of harmonized interests and mutual well-being. Had the ancient Akan people written a classic ethics, mutual aid would have been the keynote, not rationalist appeals to duty or injunction revealed by special circumstance, as in Christianity, Judaism, and Islam (Wiredu, 1996, p. 99).

In similar terms, as Nigerian scholar Joseph Oládèjo Fáníran explains, in Yorùbá culture of southwestern Nigeria "community rituals create solidarity by enabling participants to have a subjective experience of sharing the same meaningful world" (2014, p. 149). The communal is a shared human bond that develops an unshakable responsibility for the solidarity of the community. For the Yorùbá, myths and rituals express unquestioned beliefs about the idea of community, which then is the foundation of values, cosmology, ontology and ways of life. They speak in their own terms about African distinctiveness from the beginning. Africans "from all sides regard community as nothing less than 'the way things are,' a presupposition, a *prima facie* truth. To speak meaningfully is to address social reality in communitarian terms" (Fackler, 2003, p. 320).

The Congolese scholar Benezet Bujo contends that loyalty based on clan and tribe rightly enlarges to a "world community [of] every single human person." Using the rhetorical style of his own region, Bujo cites an adage from Burundi:

> "If one member of the family has eaten dog-meat, all the members of the clan are disgraced." To eat the flesh of a dog is disgraceful for the Burundi; one who does so should not think that he alone can bear responsibility as an individual for this deed … the wicked conduct of one member infringes the dignity of all.
>
> (Bujo, 2001, p. 115)

Without doubt the history of violence in Africa is as brutal and malicious as the record of any other region, yet Bujo's starting point for the development of personhood remains fixed at a relational nexus. A child's sense of self and other begins with the first encounter and depends entirely on the care of others. A name is rendered based on relational realities. One grows into care-providing roles, without surrendering the need for care oneself. Violations of the social bond are reckoned as morally blameworthy, and celebrations as communal joy. Large-scale violations—wars in the Sudan and northern Uganda for instance—must be forgotten and people reconciled as *sine qua non* to a future. The miniscule and debatable distinction between Hutu and Tutsi which has turned rivers red in Burundi and Rwanda must evaporate as Bujo's communitarianism translates into social policy there. Communitarian ontology cannot abide perpetual exclusion. Nor can it coherently ordain a cultural hierarchy justifying hegemony or economic domination. Neither colonialism nor traditional culture's gender stereotypes survive communitarian critique. In Native American and other non-Western cultures, the embrace of the Other characteristic of communitarianism includes one's forebears and unobservable "spirits and life essences" not excluding animals, birds, even rivers and mountains (Brown, 2004, p. 172).

In the 1980s a surge of interest in communications studies followed the work of Charles Taylor, Robert Bellah, and the translations of Jacques Ellul's seminal works. In each scholar's core was the notion that Enlightenment liberalism had sacrificed fundamental human connectedness. The result was a new sense of boredom and disconnect. Novelist Walker Percy described it as "lost in the cosmos" (Percy, 1984, p. 73). For Taylor, the intellectual life of the West, wrapped so tightly in bonds of empiricism, rationalism, and individual rights, had narrowed its "horizons," diminishing its notion of humanity (Taylor, 1989, p. 27). For Ellul, the drive to efficiency (*la technique*) characterized all modern bureaucracy, abrogating any possibility of genuine freedom and cooperation (Ellul, 1964, p. 6). As summarized by the title, *Our Battle for the Human Spirit,* Willem Vanderburg (2016) describes Ellul's world as one of alienation and dysfunction, with the technique of non-life overwhelming cultural bonds and social relations. Bellah's revealing interviews portrayed a culture groping for meaningful relationships, unsatisfied with the status symbols of rationalistic success (Bellah, 1996, p. 3). Later Robert Putnam described the loss of social capital in the economized West as he mused over the demise of team sports and a new entertainment market in privatized game-playing. He noted that a "generalized game playing" (I'll do this for you without expecting anything specific back from you, in the confident expectation that someone else will do something for me) born of community trust no longer typifies American life (Putnam, 2000, p. 21).

In communication studies, *Good News: Social Ethics and the Press* (1993) sought an alternative theory of the self on which to construct and apply the values of progressive democratic media systems. For Christians, Fackler, and Ferré (1993), mere tinkering with questions of order, freedom, or tradition failed to address root problems. They pressed toward an ontological breakthrough that affirmed the primacy of relationship and refuted the stand-alone person who then chooses his or her social connections based on market potential or other pragmatic calculations.

The ontology of *Good News* required that common problems of communication ethics and liberal speech/press law be completely reformulated to accommodate persons-in-community. It urged that media operators recast their social vocation, but stopped short of offering to the press a nuanced format or stipulating a code of communitarian media ethics. Rather, *Good News* provided broad parameters intending to reset the principles by which press and public would come to understand their democratic responsibilities. Mutuality replaced individual rights as a first principle. Freedom to speak could no longer start from assertions of the untamed conscience, but

rather from a prior regard for the Other, in the language of Emmanuel Levinas. The intellectual work of Ellul, Habermas, Levinas, and feminist communitarians (Denzin, 1997, pp. 274–287) sustained this book's challenge to the Enlightenment standard.

In an elaboration of the communitarian perspective and its theoretical bases, Christians, Fackler, and Ferré (2012) published an Oxford sequel, *Ethics for Public Communication.* Following its subtitle, *Defining Moments in Media History*, the communitarian model is centered on critical episodes in the world media that signal a democratic tipping point. With community bonds the framework rather than individual autonomy, the relations that humans share define the moral life. For the news media, how the moral order works in communities is the issue, not first of all what journalism professionals self-define as virtuous. The media's mission in communitarianism is revitalized citizenship. As the authors summarize their purpose: "We offer in these chapters a vision of community that is proactive, pro-progress, pro-health, and pro-creativity. We present it as a new vision of media ethics in today's complicated world" (p. vii).

A THEORETICAL CRITIQUE AND HISTORIC COUNTERPOINT

In 2019 Clifford Christians published his *magnum opus*, a wide-ranging survey of scholarship focused on three aspects of communitarian ethics, with examples of media performance which approximate his ideal. Notwithstanding the remake of the species that his vision entails, Christians has provided the most challenging, research-rich argument to date for communitarianism applied to media practice and to human communication at large. In a section titled "Communitarian Democracy," Christians notes that community is frequently regional and local, but the communitarian worldview is inclusive and borderless, emerging in non-Western democracies, Africa, and Latin America, fuelled in the former instance by traditions of *ubuntu* and in the latter by liberation theology and the ethics of being, otherwise called the sacredness of life. (Christians, 2019a, p. 111).

As communitarian media ethics took on theoretical density and settled on broad claims of human dignity and the non-negotiable obligation of truth telling, libertarian critics rushed to the barricades. Early on, John C. Merrill, a classical liberal who promoted ethics as individual choice and personal reason, was a prolific opponent of the trend to situate journalistic responsibility in communitarian terms.

> The twentieth century has spawned a new breed of articulate and very vocal [moral guides] who claim to know what the press should be to be responsible to society. They have shifted, and are continuing to shift, the concept of press freedom from an emphasis on individual media freedom to a stress on a kind of social freedom to have a responsible press.
>
> (Merrill, 1989, p. 28)

In startling cold-war era rhetoric, Merrill drove home his worries over a communitarian turn in American media ethics (1989, p. 214):

Absolutes and universal norms are fit only for "operatniks" functioning in an authoritarian system and not for self-valuing journalists in "open" societies.

In an effort to revive the Enlightenment liberalism of Locke, Voltaire, Mill, and Jefferson, Merrill found in communitarianism an effort to give a humane face to the profit-based corporate journalism driven by accountants and edited, as it were, by attorneys. "This new trend was attempting to inject the public into editorial decision-making and to shift journalism's stance from one of neutrality and non-involvement to one of advocacy and involvement." Finally, it's "only a new way of trying to succeed … Nothing new here" (Merrill, 1998, p. 2).

Another strident critic of the communitarian turn, Carl Hausman, ventured that the pomposity and moral judgmentalism in the *Media Ethics: Cases and Moral Reasoning* textbook was offensive to working journalists, however convincing the book's arguments might be to a "college freshman" (Hausman, 1992, p. 176).

But of course, it was not college freshmen alone who were turning their intellectual and practical attention toward communitarian theory. While communitarianism has ancient roots, there was indeed something new here. Paradigms were changing; seasoned verities concerning reason and abstract principle were giving way to new combinations of theory and praxis, often in response to human suffering unexplained by abstractions of rationalism. A new millennium's hope of economic prosperity and global friendship seemed like shallow rhetoric. Following the attack on the World Trade Center in New York, shallowness gave way to the heated rhetoric of the War on Terror. Prospects for peace grew increasingly elusive and the systematic coherence of rationalist polity showed itself to be a human wrecking-ball. Trust diminished, well past already low levels across geographic and ideological divides. No strong solutions presented to growing tensions and bloodshed in regions of the Middle East. Federico Mayor, former head of UNESCO, reflecting on a new millennium and the task ahead for human development, said:

> We cannot fail to observe the increase in soul-sickness at the very heart of the most prosperous societies and social categories which seem best protected from misfortune. The heart itself seems prey to a curious void. Indifference and passivity grow. There is an ethical desert. Passions and emotions are blunted. People's eyes are empty and solidarity evaporates. Grey areas expand. Amnesia wins out. The future seems unreadable. We witness the divorce between forecast and plan. Long-term vision is discredited. Now and then we are truly sick at heart. Will the twenty-first century be the century of artificial paradises, real hell and the overwhelming increase in depression hinted at by present statistics? Will it be characterized by massacres, anomie, violence, pandemics….
>
> (Mayor, 2001, p. 5)

Then this champion of world development challenges readers: "The moment of truth has arrived—the fate of the human race itself may be at stake, so weighty will be the combination of dangers jeopardizing our future" (Mayor, 2001, p. 5).

These extended quotations are meant to convey the passion of world observers for whom a communitarian ethos is a choice for survival, if perhaps also human prosperity. The urgency of the debate as Mayor expresses it carries implications far beyond published treatises or academic theories. Peoples and regions wait for participatory democracy, free and open public expression of core values, and the robust vitalizing power of hope. Mayor forbids that we consign communitarianism to academic discourse while political dialogue crumbles and resources for health and nutrition are wasted by corruption and environmental degradation.

COMMUNITARIANISM UNDERSTOOD IN CONTRAST TO CLASSICAL LIBERALISM

Essential progress, however, cannot sidestep intellectual attention, particularly as communitarianism challenges liberalism's cultural values and reorients Western notions of personhood and primary loyalties.

Agnes Heller, building on Hannah Arendt's reflections on totalitarianism, began in the 1980s to develop a social ethic around a community's commitment to a common good. Heller departed from the model of social ethics built on autonomous moral agents applying rules

consistently. Her critical turn, mentored by Georg Lukács (1885–1971), adopted a complex and integrated view of the moral life of communities emerging from principled wisdom accumulated from the everyday life of good people, people who choose to suffer wrongdoing rather than perpetrate injustice, people participating in communal-collective deliberation (Christians, 2002, p. 53).

Jean Bethke Elshtain reacts to a communitarianism that insists on social sameness forced upon civil society in the interests, supposedly, of the many faces of the oppressed. A healthy community is well aware of its differences and rightly celebrates those civic practices which promote democratic dialogue and principled compromise over bland appeals to eliminate color, gender, or lifestyle. At the center of communitarianism is not uniformity, but core values that affirm the dignity of the other with this first response: listen and learn. Good education explores human variability while "cultivating civic sentiments"—making relationships valuable (Ehlstain, 1998, p. 264).

Philip Selznick laments that communitarian responsibility and accountability are second-tier values in most thinking about how to do corporate life better. He presents re-energized themes of mutuality and stewardship as antidotes to a civic culture too stressed over the breakup of personal virtues and too sentimentally fixed on personal care to face the systemic malaise that seems to characterize contemporary life. "Obligations are … supported by love, but they arise and persist even when love is absent or hard to sustain" (Selznik, 1998, p. 62).

CONTEMPORARY CHALLENGES

Progress in academic theory building, essential to cultural and knowledge revolutions, is never a blueprint. As the end of the second decade of the new millennium looms, communitarianism appears vulnerable to an array of counter-community forces. One need only note the resistance to the Kurdish quest for a homeland, the Syrian debacle, gas attacks on civilians, the barbarity of Boko Haram, the senseless killing of journalist Jamal Khasho'ggi, and the circus-saga of American politics post-2016 as discouraging and tragic examples of the loathing which communitarianism tries so arduously to counterbalance. No matter the weight of media violence (real and creative) or the righteous fury of a jihadist, murder cannot be a communitarian response to unfairness or long-held grievance. The world seems more tense, more divided, more in need of peaceful, negotiated, dialogical resolution that ever. Communitarianism still appears to be a theory without global application. Aside from armed conflict and strategic terror—if shooting wars miraculously ceased—communitarianism would still confront the immensely influential and entrenched global business movement that acts in every way as aggressively and totalizingly as the several armies facing off in the War on Terror. Media convergence offers programming in new bundles, but not more or better anything, just reconfigured and sold in packages advertised as new symbols of success. The integrated capability of information technology may not spell a more integrated social planet. Why should it? Fortunes are in the balance, and fortunes matter at every level of power. Communitarianism as a theoretical module opposing globalized fortune building or cultural sameness, globalized persons-as-consumers, appears pathetically short on persuasive appeal.

Communitarianism faces an entrenched ideology in radical religion. To the degree that the Bishop Tutus and Gandhis and Dalai Lamas—peace-seeking leaders of religious movements—weigh in on the side of generosity and reconciliation, the world's competing faiths may have a season when relations between their peoples move closely to approximate the ideals which constitute the public core of their respective teachings. But sentiments are fragile. When

Pope Benedict XVI quoted a medieval expositor critical of Islamic extremism in a speech in September 2006, he claimed only to be delivering an academic lecture. Around the world the reaction to this segment of his speech shows how easily (or naively) a scratch becomes a laceration. Fires destroyed properties and attacks on persons placated the bruised honor of Islamic movements. In central Africa, captured teenagers are still sent into shopping centers strapped in crude bombs—unwilling suicide martyrs—often begging nearby police to defuse the bomb and save them (Parkinson and Hinshaw, 2019, p. 1). In such times, the bonds of sympathy touted as fundamental to communitarian relations appear as flimsy as a British parliamentarian's outspoken preference that Muslim women unveil their faces when they meet him. A world of edgy, intimidated religionists appears to be on the alert for infractions that permit a show of loyalty by drawing all but unbridgeable boundaries between faiths. Salman Rushdie survived his fatwa, but fatwa or its equivalent as tools of social negotiation, will almost surely survive him. Opposed to them are democratic rhetoricians who placate millions with redundancy and post-Cold-War belligerence.

Other critics have renewed perennial questions concerning communitarianism's subtle de-construction of the West's most treasured value, freedom. Does communitarianism subvert liberty? Insofar as liberty has been understood since the Enlightenment as the right to self-ownership, communitarianism would appear to challenge and redesign. The assumed natural rights of the liberal tradition and the freedom to express those rights in a manner suiting the self are nearly synonymous with the West's shake-out of feudalism. For communitarian critic Charles Fried (2007), the conceptual question opens a host of political dilemmas: Is state prohibition of prostitution an infringement of the liberty of contract (a sale negotiated to each party's free consent)? Do anti-sex-for-sale laws reflect a community's protection of unfairly victimized weak-side bargainers on the one hand, and the long-term payees of unwanted pregnancies on the other?

Equally difficult are questions of virtual behavior: on what basis other than a community's interest in negotiated ideas of sexual purity may it impose restrictions on liberty to access graphics or other mediated forms of sex? When the restraint on liberty smacks at a biological drive so human that without it survival is jeopardized, has the community clearly overstepped? That overstep is as common as the librarian's software filter, and the FCC's imposing a tax on entertainment which draws its audience specifically in proportion to its sexual arousal. Are not all of these rules and laws examples of communitarianism's reduction of free space to an inch before another's nose? The common square is flattened when sensitivities as different as music preferences steal variety and entrepreneurship, replacing color with a sheen of gray. In a communitarian world, Fried implies, the worst crime is offense against a hypersensitive victims' advocate (Fried, 2007, p. 125).

Indeed, communitarianism may appear counter-intuitive. Martha Nussbaum notes that living bodies go "from here to there, from birth to death, never fused with any other—we are hungry and joyful and loving and needy one by one … and always continue to have separate brains and voices and stomachs" (Nussbaum, 1999, p. 62). We seem to carry on, each one, much as the liberal vision of individualism describes it. The hunger of the one must be relieved before hunger is relieved. No communal hunger program succeeds without very distinct bodies receiving bread. Communitarians appear to be amassing a crowd and calling the group a new reality. But hunger is felt by persons alone.

In the shadow of militarism, profit monopolies, religionists bent on mutual annihilation, and classical liberals suspicious of group-think, what are the chances communitarianism will provide the tipping point for peaceable societies and sustainable progress?

COMMUNITARIANISM AND HISTORIC SYNTHESIS

Communitarianism has emerged in recent decades with the earmarks of a historical synthesis that bodes well for its enduring appeal. The crumbling of the Berlin Wall in 1989 signaled the end of collectivism, the idea that personal identities must be submerged into the greater identity of the state. Historical work on the regimes of the late Joseph Stalin and Mao Tse-tung darkens the prospect that collectivism will soon appear by popular choice (Chang and Halliday, 2005, p. 3). Likewise, atomistic individualism touted so enthusiastically in Ayn Rand's objectivism, for instance, has seen its day.

People intellectually aligned with the Enlightenment's revolt against medieval monarchies now see that the great democratic virtues of liberty and choice are won only by coalitions and "middle range" associations not dissimilar from de Tocqueville's vision. How then should persons be understood? Communitarianism provides a synthesis that promotes the relation-between as prior to selfhood, without losing selfhood.

The communitarian vision has been understood here as an emerging synthesis in which liberal individualism and tribalism each share their margins and nurture their overlapping fringes. The liberal takes membership in a wider world to be the project by which conscience is shaped by moral norms. The tribalist recognizes that norms once considered distinctive in fact are shared, that norms celebrated by one's own village—the village identity—are reflected, mirrored, and perhaps even developed among neighbors upstream (Cooper, 1989, p. 269). In that case, why not trade? Why not marry? Why not share literature, make speeches, inquire, talk?

At the same time, the communitarian vision claims a distinctiveness and therefore an identity apart from liberalism and tribalism, a moral center which depends on neither and cannot be reduced to the best of each. That distinctiveness is communitarianism's assertion concerning the ontological point of departure: the relation between, which generates language and norms. Communitarianism is centered neither on the individual nor the collective, but inexorably on the integuments everywhere apparent in social institutions of all varieties and sizes. "Why talk?" was a published conversation by communications scholar Walter Ong, who answered his question in communitarian terms before the intellectual movement which employs that name congealed (Altree, 1973, p. 1).

But communitarianism has yet to reach a "tipping point." It remains a moment of skeptical interest in the West, a forbidden zone of distrust and danger in parts of the world, and the best explanation for political corruption in urban densities from Chicago to Kinshasa.

What climate change must communitarianism experience for its peace-building potential to rise above the distrust, nepotism, and ennui situated for centuries at the very nexus which communitarianism projects as its first-order foundation? Is there an intellectual future beyond a few books, a small movement, an occasional conference or rhetorical appeal to brother/sisterhood? In this essay, communitarianism's trajectory is cast in terms of three concluding claims.

Communitarianism must provide an account of the conscience. When a child asks about the location of the soul, pointing to her head or chest or abdomen, wondering where to probe the organ's contours, adult respondents resort to some version of "none of the above" and "all of the above." Conscience carries the same locational vagaries and sensate certainties. The contemplative person understands that personhood is equivalent to soul-awareness, the maturity of moral judgment, expansion of sympathy, prioritizing of values, exercise of choice and courage, reflective self-sacrifice, the sense that one's life matters, that one cannot resign from moral accountability, that moral choice sets personal direction and creates a profile that one increasingly recognizes to be the self, the "I am."

Communitarianism cannot situate conscience into disembodied space, the relation-between, but it can and must reorient there. Moral judgment moves us toward a future, Aristotle observed. The vegetative soul reproduces, the appetitive soul does that plus transports itself and communicates; the contemplative soul alone uses symbols to grasp the meaning of things. Humans have no other planet-sharing genus quite like themselves: hungry for explanation, restless without *verstehen*, searching for *shalom* among the details and the macrocosms. Communitarianism insists that the orientation of the conscience be the relation of the self to other selves and to the world as it presents in ritual, social organization, literature—all moments of the quest. Communitarianism stands in dialogical contrariness to orientations fixed on the self and protests those which headily despise the other in idol worship of aggrandized self (from Nietzsche to modern consumerists.) Communitarianism insists that moral judgment serve the relation-between, embracing the other and conditioning the happiness of the self to the prosperity of that space-between. The purpose of the quest is enriched mutuality. The proper orientation of the soul—however deeply selfhood is nourished, protected, or educated—is outbound, stewardly, restless, at the other end of the day, at peace.

Second, communitarianism must articulate a persuasive moral claim beyond consensus or tradition. Michael J. Sandel (2005) makes this point in his distinction between the "free speech" claims of Martin Luther King's Selma march and the "free speech" claims of the American Nazi Party's effort to parade their swastikas through Skokie, Illinois. Sandel notes that liberals (who concede no discrimination to conceptions of the good in the judgment of rights) and communitarians (who concede the good to majoritarian will) cannot distinguish between these two events. But "common sense" makes the first proper and the second improper, because common sense sees the moral purpose of each and comes to moral judgment before rights are assigned. (Sandel, 2005, p. 258; see 1998).

The Enlightenment insisted that moral trust is accessible to all persons of rational temper. Sociologists or poll-takers might discern majoritarian trends, but no one (children and the mentally handicapped excepted) was absent the capacity to apprehend the fixed truths which sovereignly guide moral judgment. Post-modernity abandons fixed truths. Contemporary tribalism has polarized fixed truths into dichotomies which now justify torture, genocide, strategic ruination, political favoritism, and a world order festering with rhetorical stake-planting and wall-building. The public square is now a kill-zone; the public debate a rant. Accessible moral truth a hand-me-down from leader to follower accompanied by requisite goods bearing the value sufficient to sustain life another day. Between relativism and fundamentalism, moral foundations quiver, truth evaporates, consensus declines.

Communitarianism insists that the wisdom accumulated from centuries of reflection, and the orientation of conscience toward mutuality, are grand moral claims in a sustaining pattern of norms that offer the best middle-range account of moral obligation and accountability. That claim must be situated in an appeal to human dignity and directed toward life. Life must be prized, violence must be loss.

At this point the argument warrants a word concerning religious claims, lest the vast majority of theists in our world conclude, wrongly, that their commitments are out-of-step with a communitarian convergence. Comparing the claims and histories of world religions is well beyond the scope of this chapter, and the casual assertion that all faiths converge around a few ineluctable moral verities is naïve. Nonetheless, from major faith to upstart cult, morality and spirituality are cousins of the first order. One cannot conceive a religious movement shorn of moral teaching, nor a valued moral doctrine not also embedded in a world faith. What is the communitarian to do with such a potpourri: sample it, transcend it, avoid it?

Commonly, the communitarian secularist prefers the rhetoric of public policy (justice, fairness, equity) over the religious counterpart (divine command, *agape*, sharia). There appears a rising volume among secularists concerning the negative impact of religion on community-building, especially as Europe and the United States stumble at exporting democracy to the Middle East and tensions rise with violence. The secularist has precious little language in common with Muslim culture, and increasingly a language intolerant of the theology and ethics of the Christian West. Dialogue requires that the religiously committed move decisively toward the rhetoric of equity if any talk will occur.

In Christian intellectual circles, the communitarian vision enjoys a developed theological apparatus and a common language. The trinitarian basis of Christian theology is itself an appeal to communitarian mutuality as explanation of the character of the godhead. This plays out in the Old and New Testament as dialogical ethics which reaches beyond the Trinity in covenantal communication with humankind. Divine commands so eminent in Christian ethics (the Ten Commandments) are famously interpreted by communities of faith operating within wider cultures. Moral accountability is situated in community norms considered under the guidance of the living presence of deity. In this context, the communitarian vision flourishes. The same happens, no doubt, in other faith contexts.

Third, communitarianism must offer hope. In his remarkable essay on hope, political scientist (Tinder, 1999) notes the common human "ability and desire to reach out to the remote past and the remote future" in order to understand the potential of one's life. It would seem a limitless task, nearly impossible. Yet we persist, because at the end of the journey, there lies the promise of universal peace. Historians, poets, and neuroscientists describe a similar human bent: the practice of universal norms discovered through stories re-enacted and told through time and across space (Gazzaniga, 2005, p. 161). We must speak to and about each other to discover the quite common moral convictions which sustain and enrich life. James Q. Wilson (1993) observes:

> The idea of autonomous individuals choosing everything—their beliefs and values, their history and traditions, their social forms and family structures—is a vainglorious idea, one that could be invented only by thinkers who felt compelled to construct society out of theories.
>
> (p. 234)

> We build culture with words primarily, but also in architecture, public policy, sculpture, film—all means of symbolic constructions wanting to connect, and the reason is hope, or as Kierkegaard put it, "a passion for what is possible."
>
> (Moltmann, 1967, p. 20)

Communitarianism is robust with hope, if delicately humble on past performance. History and daily journalism focus on the terrible breakdowns in the relation-between: personal disregard, institutional corruption, state-guided violence against faceless populations. The history of communitarian *shalom* would take fewer pages indeed. But no one thinking about people and values believes the last chapter is yet written. Hope carries each of us past "the existing situation and seeks for opportunities of bringing history into ever better correspondence to the promised future" (Moltmann, 1967, p. 330). We need to take the argument much further here. Each reader will reflect on texts, conversations, or meetings where present circumstance shifted toward a promise unrealized but tangible. Like a magnet pulling ions, hope lifts the line of sight from London's fog to Norway's crisp fjordic vistas. Hope breeds passion. Scholars rarely weep while reading their work publicly, but those gathered at the James Carey symposium at the University of Illinois in October 2006 did, remembering a generative presence and rehearsing key communicational

concepts about which, when he died, Carey had not yet said the last word. It was a festival of hope and a celebration of intellectual community. Readers will each have their stories.

Communitarians are those who will trudge through the history of race to find a moment of mutuality between human stock of differing hues. They will tremble at the grotesque failures of mutuality, even in the last century, but insist that the future is not written by the past, even to the point of believing that mutual regard will be the flower that brings a point of color to the weed bed of human failure. Hope leads forward, overriding vengeance and pressing for peace.

On the fiftieth anniversary of Japan's entering the Bretton Woods accords, linking that nation's economic future to the rest of the world, ending its isolation and making it a member nation, Mieko Nishimizu (2002, quoted in Senger, 2006) acknowledged the change of era that his national history represented:

> The future … differs from the past most notably in that the Earth itself is the relevant unit with which to frame and measure that future. Discriminating issues that shape the future are all fundamentally global. We belong to one inescapable network of mutuality: mutuality of ecosystems; mutuality of freer movement of information, ideas, people, capital, goods and services; and mutuality of peace and security. We are tied indeed in a single fabric of destiny on Planet Earth.
>
> (p. 32)

Communitarianism provides ontological footing to claims such as this; and moral direction, albeit largely experimental and frequently flawed, for how such claims may play out.

REFERENCES

Altree, Wayne (1973). *Why Talk? A Conversation About Language with Walter J. Ong*. San Francisco, CA: Chandler and Sharp.

Appiah, Kwame Anthony (2006). *Cosmopolitan: Ethics in a World of Strangers*. New York: W.W. Norton.

Bellah, Robert (1996). *Habits of the Heart: Individualism and Commitment in American Life*. Berkeley, CA: University of California Press.

Brooks, David (2019). *The Second Mountain*. New York: Random House.

Brown, Lee (2004). "Understanding and Ontology in Traditional African Thought." In L. M. Brown (Ed.), *African Philosophy*. New York: Oxford University Press, pp. 158–179.

Bujo, Benezet (2001). *Foundation of an African Ethic: Beyond the Universal Claims of Western Morality*. Nairobi: Paulines.

Cassirer, Ernst (1951). *The Philosophy of the Enlightenment*. Princeton, NJ: Princeton University Press.

Chang, June, and Halliday, Jon (2005). *Mao*. New York: Knopf.

Christians, Clifford G. (2002). "The Social Ethics of Agnes Heller." In S. L. Bracci and C. G. Christians (Eds.), *Moral Engagement in Public Life* (pp. 53–72). New York: Peter Lang.

Christians, Clifford G. (2019a). *Media Ethics and Global Justice in the Digital Age*. New York: Cambridge University Press.

Christians, Clifford G. (2019b). "The Ethics of Human Dignity and Freedom of Expression." In H. B. Sadig (Ed.), *Al Jazeera in the Gulf and the World* (pp. 221–252). Singapore: Palgrave Macmillan.

Christians, Clifford, and Fackler, Mark (2014). "The Genesis of Social Responsibility Theory." In R. S. Fortner and P. M. Fackler (Eds.), *The Handbook of Media and Mass Communication Theory* (Vol. 1, pp. 333–356). Malden, MA: Wiley.

Christians, Clifford, and Nordenstreng, Kaarle (2004). "Social Responsibility Worldwide." *Journal of Mass Media Ethics*, 19(1), 3–28.

Christians, Clifford, Ferré, John, and Fackler, Mark (1993). *Good News: Social Ethics and the Press*. New York: Oxford University Press.

Christians, Clifford, Fackler, Mark, and Ferré, John (2012). *Ethics for Public Communication: Defining Moments in Media History*. New York: Oxford University Press.

Cooper, Thomas W. (1989). *Communication Ethics and Global Change*. New York: Longman.

de Bary, W. T. (1998). *Asian Values and Human Rights: A Confucian Communitarian Perspective*. Cambridge, MA: Harvard University Press.

Denzin, Norman K. (1997). *Interpretive Ethnography: Ethnographic Practices for the 21ˢᵗ Century*. London: Sage.

Ehlstain, Jean Bethke (1998). "Democracy and the Politics of Difference." In Amitai Etzioni (Ed.), *The Essential Communitarian Reader*. Lanham, MD: Rowman & Littlefield, pp. 259–268.

Ellul, Jacques (1964). *The Technological Society* (Trans. John Wilkinson). New York: Knopf.

Fackler, Mark (2003). "Communitarian Theory with an African Inflexion." In J. Mitchell and S. Marriage (Eds.), *Mediating Religion: Conversations in Media, Religion and Culture* (pp. 317–327). Edinburgh: T & T Clark.

Fáníran, Joseph Oládèjo (2014). "Toward a Theory of African Communication." In C. Christians and K. Nordenstreng (Eds.), *Communication Theories in a Multicultural World* (pp. 146–159). New York: Peter Lang.

Fergusson, David (1998). *Community, Liberalism, and Christian Ethics*. New York: Cambridge University Press.

Fried, Charles (2007). *Modern Liberty and the Limits of Government*. New York: Norton.

Gazzaniga, Michael S. (2005). *The Ethical Brain*. New York: Dana Press.

Hausman, Carl (1992). *Crisis of Conscience: Perspectives on Journalism Ethics*. New York: HarperCollins.

Hocking, William Ernest (1926). *Man and the State*. New Haven, CT: Yale University Press.

Hutchins, Robert M. (1954). *Great Books: The Foundation of a Liberal Education*. New York: Simon and Shuster.

Josephus, Lisette, and Hall, Alexandra (Eds.). (2014). *We the Cosmopolitans: Moral and Existential Conditions of Being Human*. Oxford: Berghahn Books.

Kirkpatrick, Frank G. (1986). *Community: A Trinity of Models*. Washington, DC: Georgetown University Press.

Leigh, Robert D. (Ed.). (1947). *A Free and Responsible Press*. Chicago, IL: University of Chicago Press.

Lewis, Tom (1991). *Empire of the Air*. New York: HarperCollins.

MacLeish, Archibald (1958). *Poetry and Journalism*. Minneapolis, MN: University of Minnesota Press.

Mayor, Federico (2001). *The World Ahead: Our Future in the Making*. New York: Palgrave.

Merrill, John C. (1989). *The Dialectic of Journalism*. Baton Rouge, LA: Louisiana State University Press.

Merrill, John C. (1998). *The Princely Press*. Lanham, MD: University Press of America.

Moltmann, Jürgen (1967). *Theology of Hope* (Trans James W. Leitch). New York: Harper and Row.

Niebuhr, Reinhold (1957). "Introduction." In Wilbur Schramm (Ed.), *Responsibility in Mass Communication*. New York: Harper and Row, pp. xi–xxiii.

Nishimizu, Mieko (2002). "Looking Back, Leaping Forward." Keynote address, The 50th Anniversary of Japan's Bretton Woods Membership symposium, Tokyo, September.

Noonan, Peggy (2019). "America's Nationalist Awakening." *Wall Street Journal*, July 20, p. A17.

Nussbaum, Martha C. (1999). *Sex and Social Justice*. New York: Oxford University Press.

Parkinson, Joe, and Hinshaw, Drew (2019). "It Is a Bomb, Please Save My Life." *Wall Street Journal*, July 27–28, Saturday–Sunday, p. 1).

Percy, Walker (1984). *Lost in the Cosmos*. New York: Washington Square Press.

Putnam, Robert D. (2000). *Bowling Alone*. New York: Simon and Shuster.

Rodriguez, Clemencia (2011). *Citizens Media Against Armed Conflict: Disrupting Violence in Colombia*. Minneapolis, MN: University of Minnesota Press.

Rosen, Jay (1999). *What Are Journalists For?* New Haven, CT: Yale University Press.

Sandel, Michael J. (1998). *Liberalism and the Limits of Justice*, 2ⁿᵈ ed. Cambridge: Cambridge University Press.

Sandel, Michael J. (2005). "The Limits of Communitarianism." In *Public Philosophy: Essays on Morality in Politics*. Cambridge, MA: Harvard University Press, pp. 252–260.

Selznik, Philip (1998). "Social Justice: A Communitarian Perspective." In Amatai Etzioni (Ed.), *The Essential Communitarian Reader* (pp. 61–72). Lanham, MD: Rowman & Littlefield.

Senger, Peter (2006). "Systems Citizenship." In F. Hesselbein and M. Goldsmith (Eds.), *The Leader of the Future 2*. San Francisco, CA: Jossey-Bass, pp. 31–46.

Siebert, Fred, Peterson, Theodore, and Schramm, Wilbur (1956). *Four Theories of the Press*. Urbana, IL: University of Illinois Press.

Sizoo, Edith (Ed.). (2010). *Responsibility and Cultures of the World: Dialogue Across a Collective Challenge*. Brussels, Peter Lang.

Taylor, Charles (1989). *Sources of the Self: The Making of the Modern Identity*. Cambridge, MA: Harvard University Press.

Tinder, Glenn (1999). *The Fabric of Hope*. Grand Rapids, MI: Eerdmans.

Tönnies, Ferdinand (1963). *Community and Society* (Trans. Charles P Loomis). New York: Harper Torchbooks.

Vanderburg, Willem H. (2016). *Our Battle for the Human Spirit: Scientific Knowledge, Technical Doing, and Daily Living*. Toronto: University of Toronto Press.

Ward, Stephen J. A. (2015). *The Invention of Journalism Ethics: The Path to Objectivity and Beyond*, 2nd ed. Montreal and Kingston: McGill-Queen's University Press.

Weatherford, Jack (2004). *Genghis Khan and the Making of the Modern World*. New York: Three Rivers Press.

Wilson, James Q. *The Moral Sense*. New York: Free Press, 1993.

Wiredu, Kwasi (1996). *Cultural Universals and Particulars*. Bloomington, IN: Indiana University Press.

29

Feminist Media Ethics

Linda Steiner

INTRODUCTION

Feminism and feminist ethics address how people can live together in healthy, productive, mutually satisfying ways and can alter social or political obstacles to healthy, productive mutually satisfying lives. Feminism has been largely appreciated for foregrounding women's interests; feminist ethics was analogously long understood to correct male-centered ethical methodologies and theories that marginalize and under-value women's moral thinking, deauthorize women as moral agents, or exclude women's experiences as a source of moral reflection. Norlock's (2019) review article centers feminist ethics around gender, even as she acknowledges that feminist ethicists hope to correct binary views of gender, which oppress those who do not conform to the gender binary and other harmful gender conceptions. Norlock emphasizes the importance to feminist ethicists of criticizing the privilege available to men but denied women. Both feminists and feminist ethicists, however, are interested in larger interventions that undo oppression of all kinds, including, but not only, inequity on the basis of race, class, sexuality, and (dis)ability, all of which intersect in crucial ways.

Because media are integral to contemporary culture and are primary markers of status and legitimacy, feminism's commitment to transformative thinking and acting explains its concerns with media practices and content. That said, feminist theorizing may seem a vague resource for helping to resolve ethical dilemmas in media and communication. In part this is because feminists insist on contextualization. Most feminists reject claims that ethical codes can be deduced from a set of timeless hierarchically-arranged rights; they resist abstract disembodied, dislocated conceptions and usually regard universalizing efforts as masking a masculine or male agenda. Furthermore, multiple approaches to feminist ethics have emerged, in part given differing accounts of whether women and men engage in ethical reasoning the same way. "Feminist ethics comprises a complex and theoretically *dis*unified body of work" (Calhoun, 2004, p. 8).

Feminist philosophers rarely focus explicit attention on media or cite media scholarship. Perhaps the low status within philosophy's pecking order of feminist theory, normative ethics, and moral psychology (Meyers, 2005) discourages a turn to professional ethics. Nonetheless, a feminist approach to professional ethics may be derived from four strands of work. First, and discussed below in the greatest detail, are some key concepts in feminist ethics, including the ethic

of care, which, while it is contested, applies to a range of journalism issues. Second, feminist epistemology applies not only to media and journalism research but also to ethical dilemmas in professional practice. Embedded in feminist theories of ethical knowledge-seeking are highly relevant critiques of researcher-subject relationships and of objectivity. Third, feminism's normative concerns with issues of verbal and visual representation and language per se highlight ethical dimensions of news and entertainment. Fourth, activists' complaints about various forms of work-place discrimination challenge media institutions to design workplaces that enable and encourage ethical sensitivity. Feminist ethics can help analyze and resolve problems that emerge in media research, news and entertainment content, and media workplaces.

Below I first briefly outline three major efforts in the 1980s and 1990s to generate moral theories that take women seriously as moral agents: the ethic of care, lesbian ethics, and black womanism. I then assess attempts to modify, extend, or challenge caring, because articulating a practicable, productive ethic of care for journalism requires at a minimum extending the world of moral responsibility beyond the family and even beyond friendship relationships.[1] Feminist ethics must be able to evaluate care, and criticize harmful, excessive, and other forms of unethical caring. Moreover, an ethical schema cannot work only for women or women's interests. All major problems and ethical dilemmas have impact for both women and men, although the consequences may be different and unequal. The theorizing section of the chapter ends with a discussion of feminist standpoint epistemology, particularly its critique of objectivity, given its significance for media research and journalism practice.

Having sketched out these theories, I point out their potential applications to questions of media research, journalism practice, news and entertainment content, and media workplaces. Feminist theorizing emphasizes context but also the specific connection of the personal and political, so feminist ethics must serve media professionals inside and outside their work sites. Caring must be politicized and reconstructed to include caring for (some) strangers and distant communities if it is to be useful, for example, to journalists—who are in relationships not only with colleagues and known and "seen" sources and subjects, but also unseen and unknown audiences (Steiner & Okrusch, 2006). I treat "feminist ethics" as acknowledging women's historical experiences but understanding—and wanting to correct—the problems "engendered" by a host of power inequities.

THE EMERGENCE AND DEVELOPMENT OF FEMINIST ETHICS

Although second-wave feminists regarded and practiced feminism as explicitly normative, feminist ethics emerged as a distinct scholarly endeavor with Carol Gilligan's 1982 *In a Different Voice: Psychological Theory and Women's Development*, a ground-breaking book about women's ways of analyzing and resolving moral dilemmas. According to Gilligan, who was trained as a developmental psychologist, Kohlberg's then classic categorization of moral development failed to consider women's distinctive ways of thinking, because he derived his notions of rights, rules, and justice from interviews with men. No wonder, therefore, that women apparently rarely attained the highest stage of moral development. Gilligan's interviews with women (albeit all of them white, middle-class North Americans) showed their moral development beginning selfishly and then maturing through a conventional stage based in a network of relationships and sense of responsibility to maintain those relations; a final post- conventional stage was grounded in universal care.

For the next two decades, feminists debated the differences between an ethic of responsibility and care, associated with women's ethical decision-making, and an ethic of rights and justice

associated with men. Taking human interaction and dyadic caring relationships as ontologically fundamental, Noddings' (1984) model for/of ethical decision-making, for example, privileged intimate, non-judgmental maternal caring. Noddings claimed that genuine caring—directed at people in definite relationships—involves thoroughly attending to the cared-for, while ignoring one's own concerns and setting aside one's goals. Meanwhile, in adopting the goals of the cared-for, care-givers are transformed. Emphasizing that all humans depend on non-reciprocal caring by others, first as infants and children, and likely later as well, Kittay (1999) likewise saw this relationship of dependency as paradigmatic. Others celebrated feminine traits and virtues that are popularly associated with women. In offering maternal nurturing as a model, Ruddick (1989) and Manning (1992) emphasized mothers' efforts to socialize children and cultivate their virtues; sometimes mothers even encourage children to eschew values and traits that might seem valuable for social success, but that they deem unethical.

These scholars largely eschewed biological explanations. They often conceded that men, too, should care. Mothering is a learned way of thinking, so if men spent as much time attending to children as women do, presumably men would also think maternally. Nonetheless, this body of work was appropriately criticized for essentializing sex/gender and conflating female/feminine/feminist. Gilligan (1982) ignored the impact of a history of sex stereotyping and subordination; she falsely universalized women, ignoring differences in experiences interstructured with race, ethnicity, class, sexual orientation, as well as historical, geographic, and material circumstances (Steiner, 1989).

The debate shifted, however, once Gilligan (1987) explicitly denied that caring about and for people and following abstract principles of justice are opposites, much less that one mode is superior to the other. Care and justice are not be easily integrated, she conceded; practically speaking, only one can be deployed at a single moment. Yet, one may be aware of both. More to the point, all relationships, public and private, can be characterized both in terms of equality and attachment. Both inequality and detachment are grounds for moral concern. Everyone is vulnerable both to oppression and abandonment. Noddings (2002) acknowledged, "Even theories, like children, can grow up and move into the public world" (p. 2). While the home is where people learn how to care, direct personal "caring-for" (or being cared-for) teaches "caring-about." So, instead of rejecting rights-based approaches, Noddings came to see justice ethics as extensions of caring: "justice itself is dependent on caring-about, and caring-about is in turn dependent on caring-for" (p. 6).

This brief overview of the early development of the feminist ethic of care, then, exposes a degree of terminological ambiguity. By 1995 Gilligan distinguished between a "feminine" ethic of care, emphasizing special obligations and interpersonal relationships, and a "feminist" ethic of care, emphasizing connections that, she noted, expose the disconnections in feminine selflessness and self-sacrifice premised on a faulty, patriarchal opposition between relationships and autonomy. Koehn (1998) labeled her own approach "female ethics" as a way to avoid ethical traditions dominated by men. Notably, while conceding that one could conceptualize the ethics of care without attaching an adjective, Sevenhuijsen (1998) refers to the "feminist ethics of care" to show how care and ethics are interwoven with gender in ways requiring feminist interpretation.

Certainly, feminist ethicists rarely ignore care altogether. Some ethicists remain highly sympathetic, commending the ethic of care for highlighting, if not mitigating, important defects in justice theory, including its impersonality and potential for arbitrariness. Caring is understood as including "everything we do directly to help others to meet their basic needs, develop or sustain their basic capabilities, and alleviate or avoid pain or suffering, *in an attentive, responsive and respectful matter*" (Engster, 2005, p. 55, italics in the original). Moreover, instead of deriving our duty to care from others' dependency on us, Engster grounds the obligation to care for others on

our (common) dependency on others. Because we demand care from others for the reproduction of society, we should care for others in need. Drawing on Augustine and Emmanuel Levinas, and also sacredness, for her claim that caring is basic to flourishing as a human being, Grouenhout (2004) asserts that humans naturally tend to offer care, to accept care, and to be caring.

Some ethicists refuse to privilege care. Caring, or excessive caring, not only can hurt women (they can be exploited, for example) but also maims their capacity for moral autonomy and thus moral action (as when they protect people who are exploitive). Maternal care may be extreme, oppressive, or at least distorted. For Bartky (1990), doing the family's emotional work and bolstering men's egos disempowers women, even if they demur on this point or are paid to care. Koehn (1998) suggests that maternal care approaches are politically naïve, over-privilege the earth mother, and too easily dismiss autonomy. The ethics of care is "insufficiently suspicious of the classically feminine moral failing of self-sacrifice" and open to invidious partiality (Jaggar, 2000, p. 456).[2] Of course, regardless of how care works as an ideal, it does not necessarily describe actual behavior or relationships.

LESBIAN ETHICS

In proposing lesbian ethics, Hoagland (1988) saw heterosexual femininity as offering an ethics of dependence and self-sacrifice that essentially accepts a masculine model of the feminine; manipulation becomes the primary mode of female agency. Hoagland grounded lesbian ethics, as a creative ethics of resistance, in lesbians' experience of oppression, thereby opening up transformative conceptual possibilities. She drew on Monique Wittig's assertion that the material basis of the man/woman distinction itself renders women as dominated by and "under" men. Hoagland likewise commended Audre Lorde's proposal, in the name of pluralism, to embrace difference. Lorde argued that the Other is created by ignoring difference, such as when white women "white out" women of color and their distinct forms of resistance. Hoagland suggested that individual moral integrity and agency—her foundational values—will result from a new method of "attending." Ultimately her goal was a lesbian community. Hoagland (1988) called for moral revolution and repudiated moral reform as merely greater adherence to existing Western values and ethical norms, for example, notions of consensus and self-sacrifice; these were imperialist ideas that sustained an ethics of control and power. Notably, some scholars suggested that Hoagland's ideals might work for lesbians and "wimmin," albeit not everyone. Some worried about the implications of a separatist lesbian communal ethics for black women of color (since it demands pulling away from black culture). Others seemed skeptical of the entire idea of lesbian ethics.

BLACK WOMANIST ETHICS

With even greater impact and ongoing resonance, African-American scholars draw especially from Christian theology, but also black history and feminist theory to develop a "womanist" ethics that, among other features, exposes and corrects the racism that has historically marked, or rather, marred, feminist thinking. Increasing attention has been paid in recent years to how white women abolitionists and suffragists wished to extend the privileges that white and middle-class women enjoyed in the domestic and private sphere; this maintained the social order (Norlock, 2019) and ignored, marginalized or even excluded most black women suffragists. Alice Walker's conceptualization of "womanist" as involving tradition, community, self, and critiques of white

feminist thinking have often been deployed in womanist and black liberationist ethics. Religious studies scholars who initially articulated womanist ethics include Cannon, whose *Black Womanist Ethics* (1988) featured Zora Neale Hurston, and Townes (1993), who drew on activist/journalist Ida B. Wells-Barnett to develop a Christian social ethics. In the second generation of Christian womanism, Floyd-Thomas (2006) explicitly uses Walker's definition as the basis of four tenets of womanist ethics: radical subjectivity, traditional communalism, redemptive self-love, and critical engagement.

Townes (2011) emphasizes particularity:

> All discourse is rooted in the social location of those who speak (or are silent or silenced) [so] such discourse is particular and ultimately biased … .An ethic of justice must be based on the community from which it emerges, for it can degenerate into flaccid ideology if it does not espouse a future vision that calls the community beyond itself into a wider and more inclusive circle.
>
> (pp. 37–38)

Townes says that prescriptively, womanist ethics requires both the pastoral and the prophetic voice as "complementary forces that coalesce into a day-by-day ethic" (p. 42). For her, the womanist ethic is unapologetically confrontive; a prophetic voice must be, among other things, an agent of admonition.

Debates have emerged within black womanism. Some see womanist ethics as a form *of* feminist ethics. Perhaps a greater number refer to womanist *and* feminist ethics, which simultaneously links and distinguishes them, suggesting that womanists and feminists understand and critique domination and subordination differently, albeit with equal passion. Relatedly, some womanists (analogous to black scholars more generally) argue that black women should not cite white sources. Sanders (1989) asserted that to appropriate white sources—to employ oppressors' evaluative criteria—manifests racial self-hatred. Explicitly refuting Sanders, Cannon (1993) rejected the presumption of an absolute incompatibility between womanist critical scholarship and white feminist liberationist sources, predicting such a suspicion would result in time-consuming busy work and reinvention of the proverbial wheel. Cannon noted that her own womanist voice was shaped by personal experiences of many forms of oppression, including elitist class oppression within the African American community.

Nineteenth-century black women activists such as Ida B. Wells-Barnett, Sojourner Truth, and Anna Julia Cooper as well as more moderate members of black women's clubs did not call themselves womanist. Nevertheless, they did fruitfully embody a nascent womanist social analysis. Thus, their non-universalizing, interstructured epistemology prefigures womanists' insistence on justice as involving truth-telling, reality-testing, and radical challenge (Townes, 2011). Suggesting, too, a sense of the link between standpoint and moral analysis, Cooper, who was born into slavery in 1858, but earned a PhD in history from the Sorbonne in 1924, insisted in her 1892 book *A Voice From the South* that understanding of U.S. history required appropriate inclusion of Black American voices, especially the "open-eyed but hitherto voiceless Black Woman of America" (quoted in Norlock, 2019). These women and others grounded their work for women's rights and arguments for women's moral and socio-political equality not in domestic virtues but in equal legal protection, economic liberation, political representation, and the right to bear arms in order to provide for the liberation of Black Americans. Cooper believed that virtues and truth had masculine and feminine sides. Therefore, children should learn both masculine reason and feminine sympathy "in order that our boys may supplement their virility by tenderness and sensibility, and our girls may round out their gentleness by strength and self-reliance" (Cooper, 1892, quoted in Norlock, 2019).

REVISIONS OF THE ETHICS OF CARE

Care ethics remains alive, albeit highly contested, with different people in a variety of intellectual and professional domains offering different ways to revise and revitalize the concept. In introducing a special issue of the *International Journal of Care and Caring* on care ethics, Hamington (2018) defined care ethics as a relational approach to morality that values context, emotion and experience; considers people's needs, and circumstances and constraints, including as they are constrained by relationships; and treats care thinking/theorizing and care work as interrelated. As Barnes, Brannelly, Ward and Ward (2015, p. 243) say:

> The power of the ethics of care lies in its capacity to move between the messy everyday realities of care giving and receiving, and the political processes through which policy is made, while applying a coherent philosophical and psychological understanding of interdependence as fundamental to the human condition.

One issue turns on the political dimension of care. Held (2006) sees care as both practice (in terms of caring relations) and value, but not as a virtue. Others propose a virtue ethic featuring both justice and care, usually with care put first or as one among several prominent feminist virtues. Justice and care, as values, invoke different moral considerations; but as practices, caring may also need values such as justice. Held defends the ethic of care as a distinct normative theory that emphasizes respecting and meeting the needs of people we take responsibility for. She calls for developing frameworks of caring about and for one another at both community and global levels. "Socializing care has the potential of infusing care values into political decisions and accepted ideas that underlie social values" (Hamington and Miller, 2006, p. xiv). A social ethic of care simultaneously embraces human particularity and honors "the obligation to uphold that particularity in a social context of rights and fairness" (p. xv).

It is not that everyone and all issues must be treated equally. As Bell (2005) notes, ethical intersubjectivity cannot alone answer the question: "How far—across how much space and time, encompassing how many people—should I care?" (p. 502). Sevenhuijsen (1998) and Sander-Staudt (2006) note the risks in marrying care and justice. Sander-Staudt prefers a freestanding feminist care ethic, albeit working collaboratively with virtue ethics; at best, an open marriage between care and virtue ethics would require a prenuptial agreement and marital therapy. Worried that a hasty marriage will exclude politics, Sevenhuijsen (1998) sees care broadly, as a source of moral and political judgment, and thus treats care as a form of practice and human agency, and ethics as a political virtue. Mendus (2000) even argues that "domestic virtues are deformed when they are translated to a public world" (p. 114); political problems are characteristically large-scale and do not emerge at the level of individual relationships.

Koehn (1998) proposed dialogic female ethics, on the grounds that if an ethics of care or empathy provides no incentive to self-reflection, caregivers may indulge in self-righteous anger, manipulation, or even violence. While care is intrinsically good, it cannot provide for the complete good; indeed, each of us is prone to error. Her solution is to structure opportunities for receivers of care to contest caregivers' expectations. Such a space requires principles (not rules), she says. Her dialogic female ethics thus incorporates the principles of male ethics into the consultative ethos of female ethics. It stresses human interdependence; requires empathy for the vulnerable; treats the domestic realm as having public significance; respects difference and individuality; emphasizes imaginative discourse and listening; and is transformative. But the "critical conversations" Koehn describes as crucial correctives are literal and interpersonal, without apparent application to professionals.

Many feminist theorists refuse to separate the personal from the political, unwilling to regard justice as appropriate only to the public/political sphere while reserving care for the domains of family and charitable organizations. Care is relevant to the political domain, although it is needed most clearly in family and friendship contexts (Held, 2006). Care alone cannot handle all issues of justice and rights, but may be a broad framework for individual rights; it points to ways for radical restructuring of social, economic, and political policies.

Commending the ethics of care for moral and political judgments, Tronto (1995) distinguished four phrases of care, each of which has a concomitant value: caring about, attentiveness; taking care of, responsibility; care giving, competence; and care receiving, responsiveness. Although many criticize her version of care as overly broad (for a review, see Sander-Staudt, 2006), Tronto insists: "[C]are is not solely private or parochial; it can concern institutions, societies, even global levels of thinking" (p. 145). She concedes that material imbalances in the amount of care that people receive, when integrated with justice, raise political questions: Determining who needs or deserves which kinds of care requires knowledge and thus public deliberation. Robinson (2011) rethinks global and human security issues through what she calls "critical feminist care ethics." This enables her to critique how women from income-poor states migrate to affluent countries to undertake work usually associated with the traditional roles of wives—child care (and for the sick and elderly, homemaking, and sex—and as sex workers; environmental issues, global health (in) security. She sees care ethics as relevant to global security governance, humanitarian intervention, and peacekeeping and peacebuilding, including the specific moral and political responsibilities that follow from recognizing how violent conflict leaves some people hurt and vulnerable.

Denzin (1997) and Christians (2002, 2003) propose "feminist communitarian ethics" as a means of facilitating civic transformation and promoting universal solidarity. Their point, following Benhabib, is that communitarianism, as a political philosophy, takes as fundamental the social nature of the self, the connection of personal dignity and communal well-being, and the importance of care, justice, and interpersonal respect. This version of feminist communitarianism emphasizes that the community is ontologically and morally prior to persons; values, moral commitments and existential meanings are negotiated dialogically.

Communitarian movement sociologists such as Amitai Etzioni do not necessarily ally themselves with feminist aims. Some of them ignore the effects of patriarchy and sex discrimination, as well as race, sexuality, and class, thus leaving in place a family in which sexual difference is deeply entrenched. With their more formal and even universalized notion of community, these communitarians ignore feminists' concerns both with the profound impact of social context and the potential repression of specific communities. Communitarians worry about the loss of community boundaries, whereas feminists worry about the costs of traditional boundaries (p. 167). As a result, feminists and communitarians of this type "have not been, are not, and perhaps cannot or should not be more consistent allies" (Weiss, 1995, p. 161). Friedman (1993), for example, warns against such communitarians' over-warm invocation of the norms and traditions of families, neighborhoods, and nations. That said, feminists might yet develop a distinctive version of communitarian ethic that usefully and significantly extends caring. Christians (2004) proposes feminist communitarianism as an intermediary step to dialogic communitarianism, which is the most mature embodiment of both communitarian political philosophy and feminist social ethics.

Finally, Fraser (1986) helpfully indicates how dominant groups (by gender, class, race) control the means of interpretation and communication; among other ways, they manage to control the official vocabularies, rhetorical devices, idioms for communicating one's needs, and the paradigms of argumentation accepted as authoritative in adjudicating conflicting claims. Rejecting "universalist-formal" ethics, she advocates a dialogical ethic that enables the critique "of interpretations of needs, of definitions of situations and of the social conditions of dialogue, instead of

establishing a privileged model of moral deliberation which effectively shields such matters from scrutiny" (p. 426). But instead of endorsing Gilligan's relational-interactive model of identity, Fraser emphasizes a contextual, collective dimension in order to advocate the standpoint of the collective concrete other, a perspective focusing on that intermediate zone of group identity. The space between unique individuality and universal humanity leads Fraser to an ethic of solidarity governed by "norms of collective solidarities as expressed in shared but non-universal social practices" (p. 428).

Thus, to suggest caring as appropriate for journalists, who otherwise are committed (if merely as a strategic short-cut) to a formalist, rights-based and proceduralist insistence on neutrality, distance, and objectivity, requires first a politicized care that potentially embraces needy strangers and deserving communities. Importantly for media work, this notion of care requires thought, evaluation, deliberation, and informed debate. Moreover, even this radicalized notion of care cannot alone undergird an entire moral theory. Not all intimate caring relationships and contexts are moral; not all political "causes" are inherently moral and progressive.

THE RELEVANCE OF FEMINIST STANDPOINT THEORY

Given its attention to how all knowledge is socially situated and its challenge to the ideological practices of androcentric science, feminist standpoint theory is extraordinarily useful to the development of a robust feminist ethics for a variety of knowledge projects across scholarly, pedagogic, and professional domains. Feminist standpoint epistemology (FSE) insists that the historical and cultural contexts of knowledge are important and meaningful. It refutes "normal" scientists' claim that they can perform "the god-trick of seeing everything from nowhere" (Haraway, 1991, p. 189), which conceals, rather than reveals, the working of power.[3] Standpoint feminists rely on critical evaluation to determine which social locations tend to promote better knowledge claims, including the locations of those conducting the research. Moreover, communities are the primary makers of meaning. Communities, not individuals, generate, maintain, and hold bodies of knowledge. Reconceptualizing knowers as "individuals-in-communities" avoids atomism (Grasswick, 2004). Moral dialogue among a community of interlocutors will correct biases that individuals cannot detect in themselves (Friedman, 1993).

A key insight for FSE is that subordinated people must understand those who dominate them. In contrast, dominant groups do not need to understand those they subordinate and hence do not. So, FSE is wise about the uneven distribution and operation of power. It understands that all methods, including those claiming to be apolitical, are political. Beginning (but not necessarily ending) with the standpoint of women as a subordinated class, then, and grounding research in the perspectives of those who are the most marginalized will generate less partial, less distorted accounts. This affirmatively embraces particularity, in contrast to empiricists' universalizing accounts, grounded in the illusion of a universal subject. FSE exploits the distinctive resources of differently situated groups for more critical, reflexive knowledge projects (Steiner, 2018). That said, in the same way that the enforced maternal giving may be distorting, so may the experience of subordination and oppression. FSE does not claim that women per se share a privileged vantage point, although this point has been greatly misunderstood (e.g. Hekman, 1997). Of course, not all women ethicists are feminist. Some men are. Nonetheless, FSE suggests, people's perspectives and ways of knowing, and therefore their moral development and ethical standpoints reflects their experiences, which are (at least so far in history) themselves impacted by gender, race/ethnicity, class, (dis)ability and sexuality.

Philosopher Sandra Harding's version of FSE offers a particularly useful critique of scientific objectivity. Harding acknowledges that the neutrality ideal can resolve internal differences *within* a scientific community. Objectivity can identify the social values and interests that differ among researchers—the context of justification. Remaining invisible, however, is the context of discovery, the implicit social assumptions shared by a community, including racist, homophobic, or misogynist biases. Harding's point is that the scientific method, which is implemented or activated only at the stage of research design, comes into play too late in the process to identify the broad historical interests and values that shape the agendas and therefore the contents of inquiry. Objectivists do not ask whose questions are counted as worth pursuing, or how these questions are conceptualized and researched. This distorts the results to varying but obscured degrees.

FSE philosophers go to considerable pains, it must be added, to repudiate relativism and to consider methods by which knowledge projects can become less false. To say that knowledge is provisional and situated is not to give up on standards or rigor, or to say that knowledge simply comes from and stays with the individual. Crasnow's (2008) solution is to combine FSE with feminist empiricism (referring to empirical adequacy and other epistemic virtues) and what she calls model-based objectivity. That is, models—as tools that mediate between theory and pragmatic reality—have explanatory value by focussing on the features that we believe are salient to particular, local goals, even if they do not always work for all problems and for all time.[4] Crasnow also proposes "bootstrapping": we apply our standards to judge whether theories are good; then, when something does not work, we revise both the belief as well as the standards by which we judge. In this way, methodology evolves

For journalism, this suggests that the embodied experiences of journalists and their subjects, including as these are raced, sexed/gendered, and classed, are potential resources. Besides transparency, accountability, comprehensiveness, consistency, and other regulative research ideals, FSE also demands systematic, critical examination of knowledge-seekers' beliefs. Journalists would need to acknowledge how, as journalists, they are not exempt from these dynamics. Media professionals—like other people—would state their positions openly and offer mutual critiques, not as a matter of competition, but for transparency and to correct the overall value of their work. Standpoint epistemology requires journalists "to rethink themselves and their craft from the position of marginalized Others, thus uncovering unconscious ethnocentric, sexist, racist, and heterosexist biases that distort news production" (Durham, 1998, p. 132). Becoming engaged in the consequences of stories for the disenfranchised would "subvert from within the hegemonies in current news practice" (p. 135). Arguably, standpoint theory not only requires news accounts that include the powerless as sources, but also that women are hired for their distinctive standpoints.

APPLYING FEMINIST ETHICS TO RESEARCH

Some feminist scholars argue that feminism requires no specific methodology, much less a set of methods. Jaggar (2000) optimistically says that "feminism's views about the processes, methods, and conclusions of good moral thinking are sufficiently varied, contested, and negotiable that each can provide a useful check on others" (p. 465). Yet, feminist theories of researchers' ethical obligations to subjects, to social science, and to society have multiple implications for journalism/media research in both academic and applied or professional contexts. Despite their disagreements, Western feminist ethicists worry about contingent inequalities and advocate multidisciplinary approaches to understanding human knowledge (Jaggar, 2000). That is, feminist moral philosophy does not appeal to reason alone, and distrusts exclusively rationalist

approaches. Naturalized epistemology must "operate within a circle of what its practitioners take to be their best methods and conclusions" (Jaggar, 2000, p. 456).

As both a way of knowing and a moral perspective, the ethics of care requires researchers to be highly self-reflective and self-conscious about their ethical and scientific responsibilities. Feminist research takes seriously choice of topic: important problems, with potential for having a transformative impact, that help publics assess policies and provide good (valid, practical) reasons for acting (Koehn, 1998). Ethical researchers make research accessible to communities who need it; they share it with subjects themselves, not merely at the end but as the research proceeds. They avoid objectifying people. Agents of knowledge are not fundamentally different from objects of knowledge; both are socially located in space and time (Harding, 1993). Researchers humbly acknowledge their positioning and partiality, value diversity and pluralism, and do not claim to have all or "the" knowledge about others.

Gunzenhauser (2006) analogously posits a relational ethic that depends on caring researchers, with contact requiring subjectivity; the researcher and the researched both contribute knowledge to the relation. Brannelly (2018), who based her so-called "ethics of care research manifesto" on data about mental health problems, connects care ethics with "co-production" methodology and its commitment to attentiveness and group solidarity. Caring research, with its concerns for interdependencies and relationships, will expose marginalization and enact larger political and social efforts for change, so Brannelly calls for participatory research that values long-term involvement with communities and respects communities' needs and wishes.

Rouse (2004) specifically denies that feminist science is an epistemological analogue to an ethics of care. Nevertheless, he contrasts feminist scientists' "caring" attitude to androcentric aspirations to detachment. Feminist reconstructions of objectivity are, he says, attempts to hold knowers accountable for what they do (and for the effects of what they do) and to determine to whom and to what they need to be held accountable. These attempts take place with the recognition that inquiry and representation are inevitably partial and based in a particular perspective. Feminist researchers are therefore concerned with who gets to speak, who is heard as authoritative and how knowledge claims become authoritative, whose concerns or potential responses must be considered when constructing knowledge accounts, who has access to the material and social resources needed for research, and how the resulting authorization of knowers/knowledge changes people's lives (Rouse, 2004).

Feminist moral epistemology thus offers a prescription for ethical research, including about media. Such ethics guide choice of topic, for example, including genres such as soap operas and romance novels, otherwise discredited by being associated with women and women's pleasure. Lotz (2000) suggests "studying up" audiences (e.g., industry executives and media policy makers) and introspective "native study," in contrast to the colonizing anthropologist who gazes down upon exotic Others. Feminist epistemology also urges qualitative methods, despite the enormous investment of energy, emotion, time, and labor this requires. When media scholars undertake ethnography, feminist principles again advise reflexivity, exposing power relations between researcher and participants, sharing conclusions or initial drafts with research participants, and attending to their feedback.

For Denzin (1997), a feminist communitarian ethic requires collaborative, reciprocal, friendly, trusting relations with ethnographic subjects, in part by giving them a voice in research design. It rejects positivism's ethical principles (anonymity and justice) and norms (validity and random selection). Instead, this ethic is grounded in community, so that research serves the community, reflects a community's multiple voices, and enables participants to act to transform their social world. Christians (2002) observes that feminist communitarians assume humans can "articulate situated moral rules that are grounded in local community and group understanding"

(p. 169); their research will therefore represent multiple voices, enhance moral discernment, and promote transformation. Applied to online communication, for example, researchers must understand that members of newsgroups need to consent to research and accept the researcher's identity and purpose; respect each participant and encourage the mission of the group; let participants have a say in the research questions, and use the research to benefit the group (Hall, Frederick, and Johns, 2004).

Feminists suggest various ways to acknowledge how "particular social relations and their power dynamics have shaped the form and content of knowledge production" (Grasswick, 2004, p. 88). Fine, Weis, Weseen, and Wong (2003) remind researchers to ask themselves, among other questions: "Have I connected the 'voices' and 'stories' of individuals back to the set of historic, structural, and economic relations in which they are situated;" "Have I described the mundane" (rather than surfing through transcripts to find what is exotic or sensational); "Have I considered how these data could be used for progressive, conservative, repressive social politics;" and "Where have I backed into the passive voice and decoupled my responsibility for my interpretations."

Similarly, hooks (1989) asserts: "When we write about the experiences of a group to which we do not belong, we should think about the ethics of our actions, considering whether or not our work will be used to reinforce and perpetuate domination" (p. 43). Worried that the overvaluation of scholarship by whites about blacks maintains racism, hooks suggests that whites, including white feminists, overestimate their insights into other people, a fear that presumably also applies to media work. These scholars understand such questions have no single right or fixed answer. Unlike conventional ethics, which bars journalists from considering the implications or potential consequences of stories, feminist ethics urges us to ask these questions about our scholarly and journalism work.

FEMINIST ETHICS FOR JOURNALISTS

Journalism scholars have heard feminists' critique of objectivity. To take one of many such examples, Pedelty (1995) describes the professional obsession with objectivity:

> Journalists turn fact into fetish. They believe facts speak for themselves; that facts are found, not created, and that they are communicable without placement in ordered and 'valued' systems of meanings. Discovered and verified, facts magically transform the correspondents' prose into objective text.
>
> (p. 171)

Journalists' resistance to "caring" proposals perhaps reflects not only their sense that caring does not describe their work but also that it cannot, given their ongoing struggle to retain objectivity as a time-saving, status-preserving strategic routine, a ritual adopted to avoid criticism and threats of libel (Tuchman, 1972). More cynically, one might suspect that journalists and other media professionals prefer ethical rules that short-circuit external criticism by automatically forbidding risky and time-consuming processes of considering context and particularity. Associations of caring with feminism would not appear to help much.

Martin Bell, former BBC war correspondent, has ventured a "journalism of attachment"—"a journalism that cares as well as knows; that is aware of its responsibilities; that will not stand neutrally between good and evil, right and wrong" (Bell, 1998, p. 19). Bell says that journalists have a "moral obligation" to distinguish between good and evil in conflict zones, rather than

merely serve as "transmission vehicles" for governmental and military sources, producing what he calls "bystanders' journalism." Bell has met with outrage by war correspondents, who ignore the long history of women and men war correspondents as moral witnesses, for example, by Martha Gellhorn during the Spanish Civil War or more recently, Marie Colvin, who died while reporting on Syria. Vehemently denying all challenges to the notion of strict objectivity, journalists have condemned Bell's intervention as dangerous and a menace to good journalism (see, e.g., Hume, 1997).

Nonetheless, Bell's proposal is not totally dead. von Oppen (2009) reconceptualizes the journalism of attachment. She criticizes Bell's call for war reporters to serve as moral witnesses for overlooking reporters' responsibility as secondary witness to post-Cold War conflicts. Bell reduces war reporting to a moral problem, she says, by introducing the terms "good" and "evil." This depoliticizes conflict, enabling western bystanders able to absolve themselves of all responsibility for the origins or representation of an "alien war." Yet, von Oppen offers the German reporter Marina Achenbach's reporting from Bosnia as demonstrating how journalists can be reflexive in their writing, recognizing their own "implicatedness" without abandoning attempts to represent the conflict accurately. According to von Oppen, Achenbach's work transcended the binary of western European moral witness vs Balkan killer and successfully forced readers to reflect on their own role in the Bosnian conflict.

McLaughlin (2016) also avoids the moral panic regarding the journalism of attachment. Correctly, McLaughlin notes that both women and men war correspondents have tried to report on war's human costs. Still, he notes the rise of women war correspondents and their "less gun-ho, more human-oriented sensibility" (p. 48) as one possible explanation for the emergence the journalism of attachment. McLaughlin also cites BBC reporter Mark Urban, who attributes moralistic emotional reporting not to the feminization of news values but to the contemporary culture's concern with victimhood. McLaughlin quotes Bell himself complaining that he was misunderstood—that he believes both that "facts are sacred" and that journalists have a moral responsibility, given the impact of their reporting.

In any case, feminism tolerates, and even urges, criticism and evaluation. A "caring" epistemology or "attached" attitude does not require reporters to believe all subjects equally, much less to give them equal power in gathering or interpreting news. It neither condones a casualness about accuracy nor encourages abandoning what thorough reporters believe to be facts. Rather, it requires reporters to be self-reflexive and to bracket their assumptions about sources, to hear sources out in their particularity. It requires reporters to acknowledge their privilege and not to deceive subjects. Above all, it requires them, as FSE suggests, to be modest about their claims, difficult as this is for reporters, whose professional culture typically eschews humility. "Fidelity to what inquiry can actually achieve can be a reasonable standard here. Thus, we can aim for the provisionally least false of all and only the hypotheses already tested" (Harding, 2006, p. 144).

Principles of extended or politicized caring and the ethics at the heart of feminist epistemology, then, can be embedded in journalism practice. Journalists so inspired will report on important problems, with potential for having a transformative impact; and will want to make their work accessible to the disenfranchised. Christians (2003) notes that communal obligation provides a richer ethics for research than does the thin, truncated, extrinsic code of contractualism. Others have also shown journalists are ethically constrained by proceduralism, resulting in an irony: journalists assert power inappropriately at the individual level but surrender moral authority institutionally (Bowers, Meyers, and Babbili, 2004). Properly linking research and practice, Denzin (1997) calls on ethnographers to function as public journalists producing a "communitarian journalism that treats communication and newsmaking as value-laden activities and as forms of social narrative rooted in the community" (p. 157).

At a minimum, caring journalists, no less than philosophers and educational psychologists, will listen attentively. The voices of some news sources who speak in the vocabulary of care and connection may be silenced or marginalized by journalists' assumptions about rule-based logic. Just as important, caring journalists would avoid the sexism and sex stereotypes that otherwise lead to hearing only women's caring voices but remaining deaf to men speaking in this idiom. In some cases, allowing caring voices to emerge requires listening more closely. In other cases, it requires asking new questions, additional questions. Christians (2002) urges journalism "toward critique, multivocal representation of the marginalized, and social transformation" (p. 170). This may suggest altogether new formats, such as citizen journalism, which is directly consistent with communitarian ethics. Both begin with concern for how citizens are engaged in local communities; both address the problems of individualism.

Media audiences can "care at a distance," as has been seen, to some extent, in news, especially when accompanied by strong visual images, about global issues—from (im)migration to wars and weather-related disasters. Silk's (1998) distinction between benevolence (caring about others) and beneficence (caring for others) echoes Noddings's distinction between caring about and caring for. Silk's point is that media content can inspire responsive actions in distant contexts (third party beneficence); acting at a distance to produce mass media information that inspires self-help support groups is itself a form of beneficence. He concludes that the quasi-interaction facilitated by print and broadcast news content may relieve suffering and reduce people's sense of isolation, without the embarrassment of face-to-face interaction. But usually evidence of caring is contestable. What may be intended as a caring performance can turn out to be patronizing or worse. Some raise the specter of compassion fatigue: "The more suffering that people see on their TV screens, the less concerned they feel. Current events demobilize them; images kill the feeling of obligation within them" (quoted in Tester, 2001, p. 5). Thus, journalists are ethically obligated not only to be sensitive to the voice of care, but also to evaluate and help readers evaluate claims to caring and suffering and to evaluate policies and proposals to ameliorate suffering (including problems in the structures and processes of care-giving). This politicized version of care calls on media to privilege the problems, stories, and counter-stories of marginalized or subordinated peoples and others who deserve care and compassion. It also suggests the value of a non-gendered vocabulary (which, after all, is increasingly accessible).

REPRESENTATION AS AN ETHICAL ISSUE

Ida Wells-Barnett's famously heroic investigative journalism on lynching included men and boys but also murdered girls and women. She exposed the false narratives typically offered to justify lynching. That is, some of the relationships between white women and Black men were consensual while Black women and girls were raped by their slave owners. This challenged the "racial-sexual apologies for lynching to trample the twin myths of white (female) sexual purity and black (male) sexual savagery" (James, 1997, p. 80). The problem of racist narratives continues. "As both a people and as genders, African-American women and men have been stereotyped, categorized, scrutinized, and dichotomized into a people straining against the bonds of double-consciousness and triple-consciousness" (Townes, 2011, p. 38). Indeed, Crenshaw's (1991) now canonical work on intersectionality was grounded in analyses of how news stories about domestic violence failed to understand black women's particular circumstances in facing racism *and* sexism. Nor were black women's experiences well represented within the discourses of either feminism or antiracism.

Feminist scholars and activists following in Wells-Barnett's tradition have taken as a central issue the news and entertainment content that traffics in commodification and objectification, or that distorts women and women's agency. No wonder that Betty Friedan, in her pioneering *The Feminine Mystique* (1963), devoted a chapter to power of advertising, popular culture, and especially women's magazines in convincing women who were dissatisfied with their feminine roles to seek solace in even more femininity. This set the stage for subsequent critiques of images as a major factor in the oppression of women and for activism that transforms representations of women.

Intersectionality remains critical to feminist ethics including with respect to media coverage of both various non-hegemonic groups facing multiple and intersecting forms of exclusion, such as sexual minorities, and of topics such as reproductive rights and beauty norms. Durham (2018), for example, points out the ethical implications of two opposing positions on media representations of women's sexuality. Feminist critics complain that these reassert patriarchal power over women, potentially causing depression, body shame, eating disorders. Repudiating that assessment as largely moral panic that ultimately reinforces conservative political agendas, postfeminists often celebrate these as expressing female sexual agency and power, connoting strength, independence. Durham highlights how an intersectional perspective considers not only sexism, racism, classism, homophobia, but also differences by culture, society, economics, temporality. So, middle class teenagers may see pole dancing as pleasurably transgressive and empowering. Poor teenagers may be traumatized by seeing pole dancing, which, for them, may represent coerced sex work.

Much of the second wave feminist attention was provoked by exaggerated fears that sexist content, especially pornography, had "real" effects on people's actions, attitudes, and short- and even long-term potential. More recent analyses focus on symbolic implications. Nussbaum (2000), the rare philosopher to address media issues, treats pornography as a tool of objectification: it involves instrumentality, denial of autonomy, inertness, fungibility, violability, ownership, and denial of subjectivity. A prominent conceptualization is that representation signifies social existence, while "absence means symbolic annihilation" (Gerbner and Gross, 1976, p. 182). Tuchman (1978) drew attention to how media images symbolically annihilate women by excluding, trivializing, or demonizing them. It is in this context that feminists advocate—and literally produce—distinctive representations in mainstream commercial and alternative media, both news and entertainment, by including employing gender-neutral language. This logic also makes the issue of who can represent whom, an important ethical matter. Fraser (1986) calls for groups to achieve

> a degree of collective control over the means of interpretation and communication sufficient to enable one to participate on a par with members of other groups in moral and political deliberation; that is, to speak and be heard, to tell one's own life-story, to press one's claims and point of view in one's own voice.
>
> (p. 428)

These efforts imply normative standards for evaluating how people, relations, power, and behaviors are represented in journalism, advertising, music lyrics and music videos, whether online, in print, or on television, cable, and film. To trivialize women candidates for political office or demonize sexual/gender minorities is uncaring and unfair. To sexually exploit, objectify, and trivialize a group—simply by virtue of group identification—violates feminist ethics.[5] Fairness is not a matter of equality, even equality between men and women. Magazines that sell subscriptions and products by making men deeply unhappy with their bodies does not solve the

problem of magazine content and advertising depicting an impossible "ideal" woman. Music videos that subvert the typical pattern by objectifying men are likewise unethical. Sports news that sexualizes the bodies of African-American men, to take one more prominent and not accidental example, is likewise problematic. The point here is that—in contradistinction to second wave thinking in both feminism and ethics—no measurable ill effects on behavior need to be alleged, much less proven, for distorted representations to be regarded as unethical. To be clear, however, government censorship or similar legal action is not the solution. Generally, ethical dilemmas should be addressed through analysis and debate that promote sensitivity and awareness.

FEMINIST ETHICS AND THE WORKPLACE

Feminist critiques of a distorting polarity between the public arena as the legitimate and valued site of work (and men) and a private arena devalued by its association with emotion, domestic, and reproductive processes (and women) can be applied to media organizations. Feminists propose alternative forms of workplace organization: horizontal rather than hierarchical, flexible and rotating rather than bureaucratic and rigid, granting agency and humanity to employees rather than objectifying or subordinating them, and blurring conventional boundaries between the personal and political. For example, as a matter of feminist principle, many second and third wave feminist newspapers, cable collectives, and other kinds of media organizations—internationally, both offline and virtually—are committed to experimenting with collaborative structures and rotating leadership (or no leadership at all) as well as family-friendly and collectivist policies.

Feminist media organizations cannot claim that women are more ethical in actual practice. The constraints and barriers to fairness are organizations and structural; and ideas about ethics are enforced by university training, workplace socialization, and professional organizations. Moreover, feminist ways of working and organizing do not consistently succeed in merging personal and emotional dimensions with rational, political, and professional dimensions. *Ms.*, the magazine that tried to bring feminism to the mainstream, wanted to be egalitarian and collective. Efforts to include everyone in decision-making resulted, however, in an unclear chaotic chain of command and a "tyranny of structurelessness" (Farrell, 1998). Arguably there is a trade-off between efficient production of content and experimentation with egalitarian organization; while some feminist collectives privilege participation in feminist-inspired processes, others care more about efficiently disseminating feminist information. Indeed, feminism's openness to struggle, to contradiction (or at least to provisional, experimental, emergent processes), and to aspirational ethics explains failures to achieve ethical purity. The explicitly institutionalized principles of ethical communication at one feminist organization, for example, caused considerable tension: in the name of empowerment and "bounded emotionality" members were required to express themselves authentically to the group, disclose emotions and feelings, and expose conflict (Ashcraft, 2000).

Media organizations did not invent untenable double standards and double binds for women (i.e., requiring women to adopt behaviors and styles associated with men, yet condemning them when they do so; mandating that women do women's work and act, even dress, like women, but then condemning them for doing so). Nor is sexual harassment unique to media workplaces. Still, feminist media ethics requires active efforts to ameliorate, if not end, sexism, sexual violence, and sexual harassment. This includes understanding victims' reluctance to report it, by empathetically hearing out the stories of people who have experienced harassment, creating internal and external structures that address problems, and refusing to tolerate or overlook sexual predators in the workplace.

THE FUTURE OF FEMINIST ETHICS IN MEDIA

Feminist ethics, as multidimensional and messy as it is, involves prescribing morally justifiable ways to challenge unfair subordination and promote justice. Inverting male values and privileging women's interests cannot suffice for feminist ethics. Fully feminist ethics are distinctively political, concerned with the working of power and committed to the elimination of oppression in all its manifestations.

The evidence that women journalists "do" ethics differently than men is mixed, at best and not dispositive. According to data collected more than 20 years ago, platform (print, broadcast, etc.) and professional training, as well as socio-economic background and political values predicted journalists' values and approaches to ethical decision-making far better than did gender (Weaver, 1997). This is even more likely now. Many women journalists adamantly deny that they report "like" or "as" women, although women may cover different topics, even covering them slightly differently—for example, more about women's problems, more women sources, more human context. Certainly, the moral epistemology of media professionals deserves study, through careful analyses of the political, economic, and cultural conditions and contexts that allow for compassion or constrain ethical practices, regardless of gender.

Feminist theorizing is increasingly sensitive to the importance of recognizing how systems of oppression construct identities in complex hierarchies of power and privilege (Carastathis, 2014, p. 304).[6] The same is true of feminist ethics. Moradi and Grzanka (2017) call for more nuanced, richer "responsible stewardship" of intersectionality, whether intersectionality is a field of study, an analytic strategy or disposition, or critical praxis for social justice and for transforming structures and systems of power, privilege, and oppression. Feminist ethics, including one useful for media, does not rely on gender and/or sex differences for two reasons. Gender itself is a social construct, albeit a powerful one, that is increasingly understood as not a binary. Second, gender oppression is always woven with domination by sexual orientation, class, race, ethnicity, and religion. Feminism's embrace of intersectionality has successfully challenged universalizing ethical theory, with its attendant universal–abstract and disembodied–ethical subject (Bell, 2005). So, feminism as a way of studying and thinking about social and political relationships offers ethical and epistemological principles that correct misogynist biases without forever reifying women's experience, much less the experiences of white privileged women.

Bell hooks (1989) notably suggests an "ethics from the margins." Likewise hoping to avoid unhelpful sameness–difference debates, although from a different perspective, Baehr (2004) calls for feminist politics not based on gender, "or at least one that makes extremely minimal ontological claims about gender" (p. 414). Perhaps the reluctance to study feminist ethics reflects a tendency within feminism to associate "morality" with repressive moralizing. Eschewing the term "ethics," Walker (1998) proposes an "expressive-collaborative" model of morality. For Walker, negotiation of moral knowledge involves "socially situated and socially sustained practices of responsibility" (p. 201), modified during reflection and interaction; what matters is not theory, but how we actually live and judge.[7]

A deeply intersectional and multiculturalist feminism may yet construct a non-sexist theory that respects difference and particularity of all sorts. Its ethics can incorporate values (such as community) and responsibilities (such as caring) that historically are associated with women, without assuming that all women around the globe are permanently, much less equally, subordinated and pressed into patriarchal domestic, reproductive, and sexual arrangements. We can tilt toward care of those who need it most, globally, rather than those we love or give birth to.

Indeed, a context-sensitive notion of gender is consistent with feminism and feminist ethics, even as these incorporate into community, connection, and compassion, at local and distant levels—or wherever these are most required.

Moreover, media content, production, and consumption are implicated; news and entertainment are integral to modeling how processes of feminist ethics operate in daily life. The development and incorporation of feminist ethics, among other "channels," requires deploying these understandings in both the content and the structure of media organizations. Compared to some of the thinner, more conventional rule-based approaches to journalism ethics, this emerging feminist ethics can provide a richer account of the importance of media in symbolizing and celebrating structures of human life and thus a more coherent basis for ethical media practices.

NOTES

1. Family relationships are more equal and reciprocal than mother-child relationships (Friedman, 1993).
2. Sevenhuijsen (1998) reconceptualizes care in political terms but defends the articulation of the mother-child bond as an ideal type and model of reasoning; that is, it's not as about actual mothers and children. Ultimately, she regards the "motherly metaphor" as relying too heavily on a mythical and inadequate image of "woman."
3. For discussion of standpoint theory, see Harding (1993), and especially essays in Harding (2004), as well as Collins (1990), and Hartsock (1983).
4. But the editor of the special issue in which Crasnow's article appears argues against feminist standpoint theory, calling it a discredited idea that diverts attention away from women scientists' educational and career needs (Pinnick, 2008).
5. This is not a judgment about which sexual behaviors are (im)moral; feminist ethics favors frank discussion of sex and sexuality, not burying it.
6. Carastathi's point is that intersectionality as a concept is vague and overused.
7. Conversely, the templates for utilitarian, contract, neo-Kantian or rights-based theories represent morality as a "compact, propositionally codifiable, impersonally action-guiding code within an agent, or as a compact set of law-like propositions" (Walker, 1998, p. 7).

REFERENCES

Ashcraft, K. L. (2000). Empowering "professional" relationships: Organizational communication meets feminist practice. *Management Communication Quarterly*, 13(4), 347–392.

Baehr, A. R. (2004). Feminist politics and feminist pluralism: Can we do feminist political theory without theories of gender? *The Journal of Political Philosophy*, 12(4), 411–436.

Barnes, M., Brannelly, T., Ward, L., Ward, N. (2015). Conclusion. In Barnes, M., Brannelly, T., Ward, L., & Ward, N. *Ethics of Care: Critical Advances in International Perspective* (pp. 233–243). Bristol: Polity Press.

Bartky, S. L. (Ed.). (1990). *Femininity and domination*. New York, NY: Routledge.

Bell, M. (1998). The journalism of attachment. In M. Kieran (Ed.), *Media ethics* (pp. 15–22). London: Routledge.

Bell, V. (2005). Ethics. In Essed, P., Goldberg, D. T., & Kobayashi. A., *A Companion to Gender Studies* (pp. 495–508). Malden, MA: Blackwell.

Bowers, P. J., Meyers, C., and Babbili, A. (2004). Power, ethics, and journalism: Toward an integrative approach. *Journal of Mass Media Ethics*, 19(3–4), 223–246.

Brannelly, T. (2018). An ethics of care research manifesto. *International Journal of Care and Caring*, 2(3), 367–378.

Calhoun, Craig. (2004). Introduction. In Cheshire Calhoun (Ed.), *Setting the moral compass: Essays by women philosophers* (pp. 3–19). New York, NY: Oxford University Press.

Cannon, K. G. (1988). *Black womanist ethics*. Atlanta, GA: Scholars Press.

Cannon, K. G. (1993). Appropriation and reciprocity in the doing of womanist ethics. *Annual of the Society of Christian Ethics*, 13, 189–203.

Carastathis, A. (2014). The concept of intersectionality in feminist theory. *Philosophy Compass*, 9(5), 304–314.

Christians, C. G. (2002). Norman Denzin's feminist communitarian ethics. *Studies in Symbolic Interaction*, 25, 167–177.

Christians, C. G. (2003). Ethics and politics in qualitative research. In N. K. Denzin and Y. S. Lincoln (Eds.), *The landscape of qualitative research: Theories and issues* (pp. 208–244). Thousand Oaks, CA: Sage.

Christians, C. G. (2004). *Ubuntu* and communitarianism in media ethics. *Ecquid Novi*, 25(2), 235–256.

Collins, P. (1990). *Black feminist thought: Knowledge, consciousness, and the politics of empowerment*. New York, NY: Routledge.

Crasnow, S. (2008). Feminist philosophy of science: "Standpoint" and knowledge. *Science and Education*, 17(10), 1089–1110.

Crenshaw, K. (1991). Mapping the margins: Intersectionality, identity politics, and violence against women of color. *Stanford Law Review*, 43(6), 1241–1299.

Denzin, N. K. (1997). *Interpretive ethnography: Ethnographic practices for the 21st century*. Thousand Oaks, CA: Sage.

Durham, M. G. (1998). On the relevance of standpoint epistemology to the practice of journalism: The case for "strong objectivity.". *Communication Theory*, 8(2), 117–140.

Durham, M. G. (2018). Girls, media & sexuality: The case for feminist ethics. In D. Harp, J. Loke, and I. Bachmann (Eds.), *Feminist approaches to media theory and research* (pp. 83–91). Cham, Switzerland: Palgrave Macmillan.

Engster, D. (2005). Rethinking care theory: The practice of caring and the obligation to care. *Hypatia: A Journal of Feminist Philosophy*, 20(3), 50–74.

Farrell, A. E. (1998). *Yours in sisterhood: Ms. Magazine and the promise of popular feminism*. Chapel Hill: University of North Carolina Press.

Fine, M., Weis, L., Weseen, S., and Wong, L. (2003). For whom? Qualitative research, representations, and social responsibilities. In N. K. Denzin and Y. S. Lincoln, *The landscape of qualitative research: Theories and issues* (pp. 167–207). Thousand Oaks, CA: Sage.

Floyd-Thomas Walker, S. (2006). *Mining the motherlode: Methods in womanist ethics*. Cleveland OH: Pilgrim Press.

Fraser, N. (1986). Toward a discourse ethic of solidarity. *Praxis International*, 5(4), 425–429.

Friedman, M. (1993). *What are friends for? Feminist perspectives on personal relationships and moral theory*. Ithaca, NY: Cornell University Press.

Gerbner, G., and Gross, L. (1976). Living with television: The violence profile. *Journal of Communication*, 26, 172–199.

Gilligan, C. (1982). *In a different voice: Psychological theory and women's development*. Cambridge, MA: Harvard University Press.

Gilligan, C. (1987). Moral orientation and moral development". In E. F. Kittay and D. T. Meyers (Eds.), *Women and moral theory* (pp. 19–33). Totowa, NJ: Rowman & Littlefield.

Gilligan, C. (1995). Hearing the difference: Theorizing connection. *Hypatia: A Journal of Feminist Philosophy*, 10(2), 120–127.

Grasswick, H. E. (2004). Individuals-in-communities: The search for a feminist model of epistemic subjects. *Hypatia: A Journal of Feminist Philosophy*, 19(3), 85–120.

Grouenhout, R. E. (2004). *Connected lives: Human nature and an ethics of care*. Lanham, MD: Rowman & Littlefield.

Gunzenhauser, M. G. (2006). A moral epistemology of knowing subjects: Theorizing a relational turn for qualitative research. *Qualitative Inquiry*, 12(3), 621–647.

Hall, G. J., Frederick, D., Johns, M. D. (2004). "NEED HELP ASAP!!!": A feminist communitarian approach to online research ethics. In Johns, M.D., Chen, S. S. L., & Hall, G. J. *Online Social Research: Methods, Issues, & Ethics* (pp. 239–252). New York: Peter Lang.

Hamington, M. (2018). The care ethics moment: International innovations. *International Journal of Care and Caring*, 2(3), 309–318.

Hamington, M., and Miller, D. C. (Eds.). (2006). *Introduction to Socializing care: Feminist ethics and public issues*. Lanham, MD: Rowman & Littlefield.

Haraway, D. (1991). *Simians, cyborgs and women: The reinvention of women*. London: Free Association.

Harding, S. (1993). Rethinking standpoint epistemology: What is strong objectivity? In L. Alcoff and E. Potter (Eds.), *Feminist epistemologies* (pp. 49–82). New York, NY: Routledge.

Harding, S. (Ed) (2004). *The feminist standpoint theory reader: Intellectual and political controversies*. New York, NY: Routledge.

Harding, S. (2006). *Science and social inequality: Feminist and postcolonial issues*. Urbana: University of Illinois Press.

Hartsock, N. (1983). The feminist standpoint: Developing the ground for a specifically feminist historical materialism. In S. Harding and M. Hintikka (Eds.), *Discovering reality: Feminist perspectives on epistemology, metaphysics, methodology, and the philosophy of science* (pp. 283–310). Dordrecht, NL: D. Reidel.

Hekman, S. (1997). Truth and method: Feminist standpoint theory revisited. *Signs: Journal of Women in Culture and Society*, 22(2), 342–365.

Held, V. (2006). *The ethics of care: Personal, political, and global*. Oxford, UK: Oxford University Press.

Hoagland, S. (1988). *Lesbian ethics: Toward new value*. Palo Alto, CA: Institute of Lesbian Studies.

hooks, B. (1989). *Talking back: Thinking feminist, thinking black*. Boston, MA: South End.

Hume, M. (1997). *Whose war is it anyway? The dangers of the journalism of attachment*. London: BM InformInc.

Jaggar, A. (2000). Ethics naturalized: Feminism's contribution to moral epistemology. *Metaphilosophy*, 31, 452–467.

James, J. (1997). *Transcending the talented tenth: Black leaders and American intellectuals*. New York, NY: Routledge.

Kittay, E. F. (1999). *Love's labor: Essays on women, equality, and dependency*. New York, NY: Routledge.

Koehn, D. (1998). *Rethinking feminist ethics: Care, trust and empathy*. New York, NY: Routledge.

Lotz, A. D. (2000). Assessing qualitative television audience research: Incorporating feminist and anthropological theoretical innovation. *Communication Theory*, 10(4), 447–467.

Manning, R. C. (1992). *Speaking from the heart: A feminist perspective on ethics*. Lanham, MD: Rowman & Littlefield.

McLaughlin, G. (2016). *The war correspondent*. London: Pluto Press. Retrieved from www.jstor.org/stable/j.ctt19qgf0x.1.

Mendus, S. (2000). *Feminism and emotion: Readings in moral and political philosophy*. New York, NY: St. Martin's Press.

Meyers, D. T. (2005). Women philosophers, sidelined challenges, and professional philosophy. *Hypatia: A Journal of Feminist Philosophy*, 20(3), 149–152.

Moradi, B., and Grzanka, P. R. (2017). Using intersectionality responsibly: Toward critical epistemology, structural analysis, and social justice activism. *Journal of Counseling Psychology*, 64(5), 500–513. doi:10.1037/cou0000203

Noddings, N. (1984). *Caring: A feminine approach to ethics and moral education*. Berkeley, CA: University of California Press.

Noddings, N. (2002). *Starting at home: Caring and social policy*. Berkeley, CA: University of California Press.

Norlock, K. (2019). Feminist ethics. *The stanford encyclopedia of philosophy* (Summer 2019 Edition), Edward N. Zalta (ed.) https://plato.stanford.edu/entries/feminism-ethics/.

Nussbaum, M. (2000). *Sex & social justice*. New York, NY: Oxford University Press.

Pedelty, M. (1995). *War stories: The culture of foreign correspondents*. London and New York: Routledge.

Pinnick, C. L. (2008). Science education for women: Situated cognition, feminist standpoint theory, and the status of women in science. *Science and Education*, 17(10), 1055–1063.

Robinson, F. (2011). *The ethics of care: A feminist approach to human security*. Philadelphia, PA: Temple University Press.

Rouse, J. (2004). Feminism and the social construction of scientific knowledge. In S. Harding (Ed.), *The feminist standpoint theory reader: Intellectual and political controversies* (pp. 353–374). New York, NY: Routledge.

Ruddick, S. (1989). *Maternal thinking: Toward a politics of peace*. New York, NY: Beacon.

Sanders, C. J. (1989). Final rejoinder to roundtable: Christian ethics and theology in womanist perspective. *Feminist Studies in Religion*, 5(2), 111–112.

Sander-Staudt, M. (2006). The unhappy marriage of care ethics and virtue ethics. *Hypatia: A Journal of Feminist Philosophy*, 21(4), 21–39.

Sevenhuijsen, S. (1998). *Citizenship and the ethics of care*. New York, NY: Routledge.

Silk, J. (1998). Caring at a distance. *Ethics, Place and Environment*, 1(2), 165–182.

Steiner, L. (1989). Feminist theorizing and communication ethics. *Communication*, 12(3), 157–173.

Steiner, L. (2018). Solving journalism's post-truth crisis with feminist standpoint epistemology. *Journalism Studies*, 19(13), 1854–1865. doi:10.1080/1461670X.2018.1498749

Steiner, L., and Okrusch, C. M. (2006). Care as a virtue for journalists. *Journal of Mass Media Ethics*, 21(2–3), 102–122.

Tester, K. (2001). *Compassion, morality and the media*. Philadelphia, PA: Open University Press.

Townes, E. M. (1993). *Womanist justice, womanist hope*. Atlanta, GA: Scholars Press.

Townes, E. M. (2011). Ethics is an art of doing the work our souls must have. In K. G. Cannon, E. M. Townes, and A. D. Sims (Eds.), *Womanist theological ethics: A reader* (pp. 35–50). Lexington, KY: Westminster John Knox Press.

Tronto, J. C. (1995). Care as a basis for radical political judgments. *Hypatia: A Journal of Feminist Philosophy*, 10(2), 141–149.

Tuchman, G. (1972). Objectivity as strategic ritual: An examination of newsmen's notions of objectivity. *American Journal of Sociology*, 77, 660–679.

Tuchman, G. (1978). Introduction: The symbolic annihilation of women by the mass media. In G. Tuchman, A. K. Daniels, and J. Benet (Eds.), *Hearth and home: Images of women in the mass media* (pp. 3–38). New York, NY: Oxford University Press.

von Oppen, K. (2009). Reporting from Bosnia: Reconceptualising the notion of a "journalism of attachment". *Journal of Contemporary European Studies*, 17(1), 21–33. doi:10.1080/14782800902844669

Walker, M. U. (1998). *Moral understandings: A feminist study in ethics*. New York, NY: Routledge.

Weaver, D. (1997). Women as journalists. In P. Norris (Ed.), *Women, media, and politics* (pp. 21–40). New York, NY: Oxford University Press.

Weiss, P. A. (1995). Feminism and Communitarianism: Comparing critiques of liberalism. In P. A. Weiss and M. Friedman (Eds.), *Feminism and community* (pp. 161–186). Philadelphia, PA: Temple University Press.

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Spatial Ethics and Freedom of Expression

David S. Allen

The importance of space to expressive freedom has a long and often unexamined history. As Timothy Zick notes, in American legal decisions concerning expressive freedom, space is often viewed as a "background" rather than a "fundamental" principle (2009b, p. 8). That is especially troubling given that ethical questions about expressive freedom often fall back on legal arguments, but also because ideas about public and private space have long played a role in justifying decisions related to the ethics of expressive freedom. As a result, space is reduced to a background principle not only in legal discussions about expressive freedom, but also in discussions about the ethics of expression.

This background problem increases as citizens, policymakers, and judges attempt to understand the spatiality of freedom of expression in the virtual, digital world through standards that were developed to deal with a physical, analog environment. While spatial problems are not the sole domain of the digital world, the development of digital technologies have made spatial questions ever more important and ever more complicated. As a result, the spatiality of expressive freedom in a democratic society is increasingly becoming an issue citizens ignore at their own peril.

Several examples illustrate how spatial problems complicate issues of expressive freedom in the digital world. In 2006, Lee Siegel, senior editor of *The New Republic*, was suspended after it was discovered he had anonymously posted messages to his own blog (a blog that was affiliated with the magazine). Siegel was accused of posting messages to his blog (using the alias "sprezzatura") and defending his articles and assailing his critics. As one blog contributor noted, "sprezzatura appears only to weigh in on (*The New Republic*) forums to admonish and taunt posters who dislike Lee Siegel" and concluded, "I would say with 99 percent confidence that 'sprezzatura' is a Siegel alias." As an example, "sprezzatura" posted the following comment in reaction to Siegel's posting about Jon Stewart, at that time the host of "The Daily Show": "Siegel is brave, brilliant and wittier than Stewart will ever be. Take that, you bunch of immature, abusive sheep" (Aspan, 2006, p. 4).

After his suspension, Siegel admitted he was "sprezzatura" and said, "I'm sorry about my prank, which was certainly not designed to harm a magazine that has been my happy intellectual home for many years." However, in a *New York Times Magazine* interview, Siegel was less certain whether he had done anything wrong.

> It never occurred to me … that I was doing something wrong. Anonymity is a universal conven-
> tion of the blogosphere, and the wicked expedience is that you can speak without consequences.
> What was wrong is that I did it … as a senior editor of the magazine.
>
> (Aspan, 2006, p. 4)

Or take the observations of Ricky Gervais, whose comedy has long pushed and critiqued social
norms, about his use of Twitter. Gervais compared using Twitter to "going into a toilet stall
and arguing with graffiti" (Marchese, 2019, p. 24). However, he has also acknowledged that he
behaves differently on Twitter than he would in other spaces. As he told the *New York Times'*
David Marchese:

> No one would talk to you in the street like they do on Twitter. They'd never come up and say,
> "Your articles stink." They'd never do that because they're normal, but they're not normal on
> Twitter because there's no nuance, no irony, no conversation there.
>
> (Marchese, 2019, p. 24)

As these examples illustrate, how people choose to express ideas and thoughts is to some degree
based on assumptions they make about the nature of the space in which that freedom is exercised.
In other words, the ethical, expressive behavior of citizens in public places is shaped by the space
that they use to express themselves. This chapter examines the relationship between space and
the ethics of freedom of expression, and suggests that we can no longer afford to treat space as a
background principle when trying to understand the ethics of freedom of expression. Instead, we
need to understand the complex and important role that space plays in questions about the ethics
of expressive freedom in the digitalized, mediated world.

SPACE, FREEDOM OF EXPRESSION, AND THE PUBLIC FORUM

The idea that space plays a role in understanding the ethics of freedom of expression is not a
new idea. As studies from a range of scholars have shown (e.g., de Certeau, 1984; Goffman,
1963; Sennett, 1994), the space that people use often brings with it expectations about what is
acceptable. For example, Richard Sennett has written about expressive activities in public places
from mid-1700 theater crowds in London and Paris through people's behavior in coffee houses
and public parks in the 1900s. Unexpectedly, Sennett notes, people were allowed to be more
"embarrassingly emotional" in more public settings as compared to private settings (1978, p. 73).

In western democracies, the ethics of expressive freedom is often viewed through the lens
of the public/private dichotomy. As a result, governmental or societal limits on expression are
at least somewhat dependent on where citizens seek to express themselves, with democracies
often trying to set aside public space for the exchange of ideas. Often referred to as the idea of
the public forum, scholars have long viewed the idea of the public forum as being central to the
realization of democracy (Kalven, 1965). However, scholarly discussion about the public forum
is most commonly viewed through the lens of legal and policy analyses (see Zick, 2009b), ignor-
ing the many ethical questions embedded in the spatial issues upon which the public forum is
constructed. This is especially troublesome because legal discussion about the public forum does
not seriously begin until the late 1930s in the United States (see *Hague v. CIO*, 1939), while pop-
ular discourse concerning something called the public forum can be found in the United States at
least as early as the 1800s.[1] This suggests that the public forum was a central ethical component
of American democratic thought far earlier than recognized by either law or policy.

The ethical, social, and cultural development of the public forum, rather than the legal history, reveals that the ideas that ground the public forum have shifted over time. Rather than there being a single idea about public space in American democratic thought, ideas about the public forum are complex and dynamic, shifting to respond to cultural movements within society. Responding to discourses about the role of public space and democratic life, those shifts brought with them fundamental assumptions about the ethics of public life and the public forum. I refer to those shifts as spatial frameworks[2] in an attempt to capture the connections between expression, the space within which that expression is performed, the regulatory and cultural constraints that are imposed on both expression and space, and the ethical role public space is envisioned as playing in democracy. These spatial frameworks allow us to see that the public forum, rather than being a fixed and stable concept, is an idea that changes along with American culture. It also allows us to see that the public forum, rather than being primarily a legal or policy construction, is a concept that tells us much about the changing ideas about the spatial ethics of public life and expressive freedom.

Research shows that three spatial frameworks have dominated ideas about the public forum in American history (Allen, 2011). *The Property Framework*, dominant in the United States until about the 1920s, viewed governmental ownership and control of public space as being vital to the creation of virtuous citizens. *The Place Framework*, achieving prominence in the 1930s, had strong connections to American pragmatism. It viewed public space as being vital to the creation of an active community based on discussion and sought to identify distinct areas where citizens would come together to debate the issues of the day. *The Planning Framework* dominates much of current thinking about the public forum. It is concerned with the categorization of public expressive space as a forum of social control. The assumptions about public space articulated in each of those spatial frameworks, described below, tell us much about spatial ethics and freedom of expression.

The Property Framework

The Property Framework carved out a role for public space to play in training people to be virtuous citizens. This was accomplished by encouraging citizens to become property owners. Granted constitutional status in 1791 (see U.S. Const., amend. V), property rights were originally viewed as being the central way of protecting all other rights of citizenship (Ely, 1992). As such, property rights were not simply a way of securing the control of space and territory, or of securing financial resources, but also a way of creating more virtuous citizens. In the eyes of people such as Thomas Jefferson and John Adams, it was through land ownership that citizens would feel connected to the land and work to become responsible citizens (Alexander, 1997, pp. 43–59). Property rights also enabled citizens to become involved in public life, allowing them to express their ideas freely (Alexander, 1997, p. 31).

For some, this period was viewed as a period of intense individualism. However, that individualism was also guided by the notion that those private interests were embedded in ideas about the common welfare (Alexander, 1997, p. 29). Property was vital to the realization of that goal, with the free circulation of property being the way for citizens to realize virtue and to have the freedom to participate in public life (Alexander, 1997, p. 31). These ideas brought with them assumptions about how democracy ought to function, where property-owning citizens have freedom of entry with an absence of limits, where social mobility is possible, and, perhaps most importantly, where possessions are used not only for individual gain but also for the creation of the common good (Fisher, 1988, p. 66).

Some have argued that the connections between virtue and property, so central to early American legal thought, diminished by the late nineteenth century, replaced by *laissez-faire* constitutionalism, a doctrine that was far more interested in creating economic freedom for individuals in the marketplace than it was for developing virtuous citizens (see Jones, 1967; McCurdy, 1975). However, more recent scholarship has demonstrated that this movement was more complex than originally thought and that *laissez-faire* constitutionalism still brought with it ideas about the public good (Alexander, 1997, p. 249). That notion was officially recognized by the U.S. Supreme Court when it ruled that the government could regulate private property affected with a public interest. Known as the "affectation doctrine," it recognized that certain kinds of property helped "maintain a proper social order" within society (Alexander, 1997, p. 263).

Maintenance of that proper social order was achieved through the primary legal tool used to manage public space, the police power. It gave government the right to act in ways that promoted the public welfare (Freund, 1976/1904, p. 3). Much of the discussion of the police power in those years was shaped by the Ernst Freund's classic work, *The Police Power* (1976/1904). Freund, a progressive University of Chicago law professor who is often credited with beginning the administrative law movement, divided ideas about the police power into three spheres or categories: (1) a "conceded sphere" where ever-increasing levels of regulation affect the safety, order and morals of society, (2) a "debatable sphere" concerned with the regulation of production and distribution of wealth, and (3) an "exempt sphere" where moral, intellectual and political movements are protected by individual liberty (Freund, 1976/1904, p. 11). While Freund admitted that these spheres often overlap, this categorization was intended to make administrative law not only easier for government to use, but also as a way to constrain government.[3] For Freund, "speech and press are primarily free, but that does not prevent them from being subject to restraints in the interest of good order or morality" (Freund, 1976/1904, p. 11). This management of the speech and press was acceptable as long as it was done in a way that was "uniform, impartial and reasonable" (Freund, 1976/1904, p. 521).

Flowing from the police power, parks and streets were viewed as government property, with the government making decisions about what uses would contribute to the creation of a more virtuous citizenry. This is reflected not only in the dominant test of freedom of speech used during this period, the bad tendency test,[4] but also in ideas about the use of public parks. Following the landscape architecture movement in the late 1800s and early 1900s, public space was vital to improving people's health, but also to providing moral uplift and teaching people how to be better citizens. As a result, Frederick Law Olmsted, after designing the great public space that is New York's Central Park, instituted a police force to teach people how to properly use the space (Schuyler, 1986, p. 114). This idea is also reflected in the dominant U.S. Supreme Court decision of the era, *Davis v. Massachusetts*, where it was ruled that a city could control its parks much as a homeowner controls his/her house (*Davis v. Massachusetts*, 1897, p. 47).

The Property Framework, then, was built on a number of normative assumptions. While seeing individual property rights as the best way to create more ethical citizens, it also recognized the ethical responsibilities those citizens had as being a member of society. Public space was little more than private space—whether owned by private or governmental parties—that could, for the right purposes, be opened for use by citizens. At the heart of the Property Framework was the idea that citizens would be made better through their engagement with property, whether privately or publicly owned.

The Place Framework

The property-based idea that public space was under the control of an owner, either public or private, was challenged in the early 1900s. Heavily influenced by ideas linked to the Progressive movement and American pragmatism, the purpose of public space was re-imagined. Rather than

simply being seen as a tool for creating better citizens, public space was envisioned as the place where citizens put those hard-earned skills into practice—space where democracy was realized.

This transition required a fundamental redefinition of the very idea of property. Led by Progressive challenges in the early 1900s, property was not simply about some relationship between a person and thing (either tangible or intangible), but rather property involved a bundle of associated rights that went far beyond traditional limits of property. Viewing property as being inherently relational and social (Ely, 1914, p. 96), Progressives argued that property could be used to achieve a variety of public goods. Morris R. Cohen, for example, argued for the elimination of the idea that property existed prior to government. As such, property rights were not a way to wall off government's intrusion into private life, but a way to empower government to make rules that improved society. Since the idea of property was a creation of government, government had a broad ability to interpret what was meant by property rights (Cohen, 1927, p. 19).

The recognition that government was heavily embedded in the very creation of property rights was also recognized in judicial decisions, with courts increasingly recognizing that all property was embedded with a public interest. This growing awareness of the social component of property also had ties to suspicions about the power of property. For some, property was no longer the way to protect individual liberty, but property, held by both individual and corporate interests, was being used by the powerful to limit the freedom of other citizens (Reich, 1994, p. 772). Within the legal community, this criticism was recognized by the U.S. Supreme Court in 1934, with Justice Owen Roberts arguing that it is difficult to imagine a private property right that does not in some way "affect the public" (*Nebbia v. New York*, 1934, pp. 524–525).

In the late 1930s, a committee of the American Bar Association, led by Grenville Clark and Zechariah Chafee, Jr., set out to change the legal precedents that were central to the establishment of the Property Framework. In an influential legal brief submitted to the U.S. Supreme Court in *Hague v. CIO* (1939), where the Court for the first time recognized the idea of the public forum and the importance of public space to democracy, Clark and Chafee argued that a city, as owner of public space, should not be allowed to prevent labor unions from engaging in public organizing activities. Rather than allowing government to decide how parks and streets ought to be used, they argued that proper use should be determined by how citizens actually used public space. As a way of distinguishing this new definition of public space from the idea of property, Clark and Chafee simply referred to it as "place" (Allen, 2014). As a result, for a short period of time streets and parks were widely opened to expressive activities in the United States.[5]

By the late 1930s, then, both the legal and ethical foundation of public space had been transformed. Gone was the idea that property ownership was central to creating more virtuous citizens and protecting individual freedom. Gone as well was the idea that exposing citizens to open spaces would lead to moral uplift. It was replaced by the idea that embedded in all property was a social component that invited society to figure out how to best manage that property. Public space was no longer something to be admired from afar, but was something to be used and engaged with. The government's role in the Place Framework was not to make determinations about what types of activities would create more virtuous citizens, but rather it was to serve as an independent traffic cop, making sure that all citizens and viewpoints had access to public space. Virtue was to be created through discussion and interaction, and public space was the venue where that discussion would take place.

The Planning Framework

As the Place Framework was being established and legitimized within American society, a rival framework was already in its formative years. With roots in ideas about the police power and older notions of property, critics of the Place Framework began to look for answers in the

increasingly popular planning and zoning movements. Zoning can be traced to the late 1800s, but the adoption of a zoning ordinance in New York in 1916 gave the planning movement a significant boost (Hall, 2002, p. 60). While the desire for democratic discourse drove the advocates of the Place Framework, the need for order, organization, and efficiency was at the heart of the Planning Framework. As a result, today's Planning Framework brings together older notions of control central to the Property Framework, while building on the idea from Place theorists that government ought to play an important role in the management of public space.

Planning and zoning require a clear articulation of not only the *space* in which expression will be allowed, but also *definitions* of the expression that will be allowed within that space. As a result, the public forum increasingly came to be defined by the categorization of not only expressive acts, but the space where those acts occurred. The Place Framework neither offered nor required such definitions. Expressive freedom was based more on the use citizens brought to public space. The Planning Framework instead created a public sphere that was heavily managed by government through defined space and rules about how citizens might use that space.

In the Place Framework, public space was envisioned as being transparent and permeable, allowing citizens free access to space to increase the diversity of information. In the Planning Framework boundaries tend to be more secure and far less permeable. Rather than being envisioned as a way to bring groups together, space is viewed as a way to contain dissent to achieve some desired end. This means-end perspective is at the heart of the planning movement itself. Robert Upton has argued that the practice of planning is nothing more or less than "spatial ethics" (2002, p. 254). Scholars have noted the importance of utilitarian thinking to the practice of planning. Or, as Upton writes, planning is a "value-rational approach to assessing the outcomes of various courses of action with a view to maximizing well-being" (2002, p. 256).

The Planning Framework provided not only a spatial organization of society, but also a way to use surveillance as a form of control. As the boundaries of public space became harder and more secure, improving surveillance and control, space became a way to separate those who are engaged in expressive activities from those who are not. The public forum in the Planning Framework was not a place to bring people together but rather a space intended to isolate and control nuisances. As a result, the Planning Framework provides a justification for limits of expression such as free speech zones (Allen, 2011).

The legal foundation for the Planning Framework was established in the early 1970s with the categorization of public space. This categorization, which has come to be called the public forum doctrine, puts forward, in Robert C. Post's words, a "byzantine scheme of constitutional rules" to determine when citizens can use public space for expressive purposes (Post, 1987, p. 1715). The U.S. Supreme Court formally began the categorization of space in *Police Department of Chicago v. Mosley* (1972), but the basic categories that exist today were formalized in *Perry Educational Association v. Perry Local Educators' Association* (1983). Those categories are: traditional public forum (a place that is by tradition or government fiat open to public assembly and debate), a limited public forum (government space open to some members of the public to discuss a limited range of topics), and a nonpublic forum (government-controlled property that is not open to the public) (*Cornelius v. NAACP Legal Defense and Educational Fund*, 1985).

As legal scholars have noted, the dominant line of public forum cases suggest that the type of space that a speaker elects to use determines the amount of expressive freedom that citizens enjoy (Zick, 2009b, p. 53). Within these types of cases, value judgments about the expressive act were often not a part of the equation (see Nimmer, 1984). The public forum doctrine frees government, much as it was in the Property Framework, to determine what constitutes the public welfare. As Post sums up the public forum doctrine, "In the end the public realm created by the public forum doctrine is nothing other than a governmentally protected public space for the achievement of private ordering" (Post, 1987, p. 1800).

The Planning Framework draws on many of the same ideas that were central to the Property Framework but also changes them in important ways. Both make explicit moral claims about the purpose of public space within society. However, those moral claims in the Planning Framework are hidden behind a complex, highly rationalized layer of spatial ordering that few can understand. Using the establishment of "value-neutral" categories and boundaries, public life in the Planning Framework becomes little more than a government-shaped arena for the display of individual expression. For many advocates of the Planning Framework, viewing public space as an area capable of bringing people together into a community was little more than naïve idealism.

DIGITAL SPACES AND EXPRESSIVE FREEDOM

The ideas that shaped American public space, and in turn expressive freedom, are filled with ethical assumptions about their role in democracy. Dominant interpretations have changed from being about the socialization of citizens, to the formation of community, to the control and maintenance of individual expressive acts in pursuit of order and efficiency. And while each framework articulates different values central to public life, they share a general assumption about public space. That is, that public space is something that is *used* by citizens and exists *independent* of citizens.

What these frameworks fail to capture is what some scholars have long recognized: that citizens not only use public space, but they play an active role in creating or forming that space. Some have attacked the question through the actions of citizens themselves, preferring to find ways to privilege the conditions that citizens need to create democratic space. For example, while John Dewey did not directly address the question of public space in his work, it is clear that his notion of community was not constrained by physical boundaries. Seeing community as constituted through communication, Dewey recognized the constructed nature of both public spaces and the idea of the public itself (Dewey, 1927, p. 142). As Dewey noted, the public is "unorganized and formless," and is brought into existence only through "associated activity" (Dewey, 1927, p. 67).

Hannah Arendt brought much of the same spatial conception of public space to her thinking—ideas that she traced directly to ancient Greece. For Arendt, the *polis* was not confined or defined by the physical contours of the city-state. As she wrote, "[I]t is the organization of the people as it arises out of acting and speaking together, and its true space lies between people living together for this purpose, no matter where they happen to be" (Arendt, 1958, p. 198). Arendt noted that this space is constituted through speech and action, differing from physical space because it "does not always exist" (Arendt, 1958, p. 199).

Following Arendt, Jürgen Habermas has offered one of the more complete theories about the role citizens play in constructing their world. In his detailed account of the public sphere, both historical (Habermas, 1989b) and theoretical (Habermas, 1996), he demonstrates how public space is created through the interaction of citizens. For Habermas, the idea of the public sphere as a social space refers "neither to the *functions* nor to the *contents* of everyday communication but to the *social space* generated in communicative action" (Habermas, 1996, p. 360).

This social space is built on a number of ethical assumptions for Habermas. In the ideal speech situation citizens would be motivated not by the desire to win, but by the goal of trying to achieve understanding. And while that goal might be rarely achieved, it is an assumption that enables us to continue to engage in discursive acts (McCarthy, 1988, p. 309). Closely related to the ideal speech situation is the idea of discourse ethics. Here Habermas develops moral principles that serve as a guide for interpreters and actors engaged in discourse. In short, discourse ethics suggests that a norm can only be considered to be valid if all who would be affected have consented to it, after considering consequences and side effects, and if it is universally valid (see

Habermas, 1990, pp. 43–115). All of this presupposes that citizens can reach mutual consent on controversial issues not because of some naïve idealism, but rather because it points us to the ethics that ought to guide our interactions with other citizens. Habermas, then, reminds us that at the heart of the construction of social space are essential ethical ideals. Flowing from those ideas is a discourse, as Habermas notes, that "unfolds in a linguistically constituted public space" (Habermas, 1996, p. 361).

It is important, however, to understand that citizens do not enter into relationships with other citizens simply to create public space. People come together and create space for many reasons. At the root of these interactions is the need to create meaning about their activities, both public and private. As Habermas has noted, meaning is created within discursive communities (Habermas, 1989a, p. 7).

Of course, the challenge facing citizens is that space is not only created through the interaction of citizens, but also through the interaction of citizens and different types of media technologies. Habermas (1989b), Dewey (2008/1922) and Park (1923) have noted how journalism plays an important role in providing space for public discourse, while Wallace's research demonstrates how newspapers used the architecture of their buildings to "convene a public" (2012, p. 88).

In the digital age, citizens interact with technology to create newer types of space. As Kitchin and Dodge have noted, when "software and the spatiality of everyday life become mutually constituted" something called code/space is created (2011, p. 16). Code/space lacks a fixed ontology, but operates as an unfolding practice. As a result, in comparison to traditional notions of space, code/space is contingent, relational and active (Kitchin and Dodge, 2011, p. 67). Kitchin and Dodge do not see code/space as being inert, or simply good or bad, but rather as productive. As they write, "Software opens up new spaces as much as it closes existing ones" (2011, p. 19). As such, control and surveillance is inherently a part of code/space, just as that process also opens up new venues for democratic opportunities. They note that little thought has been given to the normative ethical questions associated with the rise of code/space, often focusing solely on questions of data collection (2011, p. 254).

While there is disagreement about the relationship between real and virtual space, and whether these spaces exist in opposition to each other or operate in conjunction with each other (see Kellerman, 2014), some have suggested that digital technologies have at the very least offered another venue for citizens. Labeling virtual space as "second action space," Kellerman suggests that virtual space is more flexible than real space in "both its construction and in moving through it" (2014, p. 151).

Ideas about the way citizens create space through their interactions, through the way space is created by engaging with newer technologies, challenges assumptions about space that are at the root of theorizing about the public forum and expressive freedom. It can no longer be assumed that public space is simply space citizens occupy for a period of time in order to engage in expressive acts, an idea shared by the Property, Place, and Planning frameworks. Rather it is becoming increasing clear that citizens create space through their interaction with other citizens and technology. And while that constructed nature of space has long been recognized, theorizing about the public forum has failed to account for that insight. While the Property, Place, and Planning frameworks shared many differences, they all relied on the ability to permanently fix spatial boundaries and clearly articulate how expression was conducted within that public space. As a result, theorizing about the public forum has been unable to adequately account for the technological changes that have transformed the public forum. Much of the space citizens use for discussion today defies attempts to contain it within physical boundaries and as a result it is not only difficult to control, but societies struggle to articulate ethical standards about the use of that space.

THE CENTRALITY OF SPATIAL ETHICS TO FREEDOM OF EXPRESSION

Moving space from being a background principle to a core issue in understanding the ethics of expressive freedom has important implications for public life. As seen in the earlier discussions about the spatiality of expressive freedom, American democracy is built on ideas that fail to capture the complexity of the digital world. Space does not exist independent of citizens, but is created by citizens, thereby shaping ethical assumptions about those spaces. In being viewed as a background principle in discussions about freedom of expression, space is cast aside. But we need to begin taking those spaces, and the creation of those spaces, seriously to not only protect expressive freedom, but also to understand the ethics of communication within public space.

The idea that citizens play a role in the construction of public space brings with it important questions related to responsibility. If citizens view public space not as just something that they use, but rather as something that they create, it changes questions of responsibility. As a result, making space a central component of public expression challenges notions about the idea that citizens have the ability to say whatever they want, whenever they want in public space. However, unlike earlier frameworks when responsibility for governing expression was transferred to governmental authorities, citizens must increasingly play an active role in that governance. By creating space through our interaction with others and with technology, we bring with that creation a responsibility to understand the needs of others. As Habermas teaches us, the goal is not domination but the search for understanding.

New virtual public spaces for expressive freedom are perhaps best viewed as a double-edged sword: they present wide opportunities for freedom of expression, but also increasingly expose that expression to surveillance by both governmental and corporate actors. As a result, it is imperative that we move beyond viewing expressive freedom solely as a negative liberty where freedom is only triggered when government tries to limit it. As Jack Balkin has argued, expressive freedom needs to move beyond the spatial boundaries articulated by nation states and recognize the importance of democratic culture. Yes, government is important; private institutions, organizations, and individuals are equally vital. As Balkin (2016) writes:

> In a free society, even in one that is not perfectly democratic in its politics—or even democratic at all—people should have the right to participate in the forms of meaning-making that shape who they are and that help constitute them as individuals.
>
> (p. 1061)

Freedom today is dependent upon not only government's willingness to create public space, but the ability of citizens to understand their own role in constructing that space and the private firms that dominant platforms and technology. A "real democracy" is a society "that puts the development of a democratic public at the center of political life" (Mattson, 1998, p. 5).

One of the things that we should not do is fail to understand the constructed nature of digital space. Too often in the past, as demonstrated in the discussion of the history of the public forum, it was suggested that space existed independent of citizens and as a result citizens had little control over its use. Space was something that existed independent of citizens and as a result it was something that could be used by authorities to govern, manage, and control citizens. But space is increasingly not just something citizens use, but also something that they create through their interactions with others and technology. We should not fall into the same old traps when envisioning digital space. We need to understand that digital spaces such as Facebook, Twitter, and YouTube are constructed by someone for some purpose. These spaces are not "natural," but rather are constructed. However, as citizens engage with those spaces,

they change them in important ways—ways that programmers of that space struggle to antic-
ipate (Rosenberg, 2008, pp. 147–150). In the end, the construction of these new spaces brings
with it some idea of what it means to be an actor within that space, but that does not mean
that citizens lack power. In these new code/spaces, as Kitchen and Dodge note, everything is
contingent, relational and active.

The Siegel and Gervais examples that began this chapter demonstrate how our outdated
understanding of space constrains our ideas about the spatial ethics of freedom of expression.
In justifying their expressive freedom, Siegel and Gervais fall back on the idea that their
speech in digital spaces is something that exists independent of citizens and that the best
citizens can do is adopt the ethical values that dominate those spaces. Neither accepts respon-
sibility for creating and perpetuating the conditions that they criticize yet seem to enjoy.
For Siegel, he accepts a constructed online ethic of deception and misleading information
as being normal in an online community. Rather than taking responsibility for the "wicked
expedience" in helping to perpetuate that community, he chooses to accept and perpetuate
that baser instinct.

Gervais falls into the same trap. Twitter, as he notes, is by its very nature like "going into a
toilet stall and arguing with graffiti." Perhaps he is correct; but what he fails to understand is the
role that he plays in furthering that culture within that space through his participation. Both resort
to the idea that space exists independent of our actions and use perceptions about spatial norms
to justify their lack of responsibility for the creation of values within that space. We need to stop
thinking of space, and expressive freedom, as being independent of us, but rather understand the
role that our expression plays in the construction of democratic space.

NOTES

1. For example, as early as 1882 the *Los Angeles Times* printed letters to the editor in a section it referred
    to as the "Public Forum" (Los Angeles Times, 1882, P. 3) In 1891, the *Chicago Daily Tribune* proposed
    that a new "art and library structure" constructed for the Chicago World's Fair be retained as a place for
    "popular gatherings—a great public forum" (Chicago Daily Tribune, 1891, p. 4). In addition, historian
    David A. Ryfe has suggested that nineteenth century newspaper coverage of presidential campaigns
    reflect a cultural value in the "associational assumptions of public life," a value that is central to the idea
    of the public forum (2006, p. 67).
2. Several scholars have used the term spatial framework. Timothy Zick has suggested that the Constitution
    puts forward a spatial framework that "contains troubling extra-territorial and intra-territorial gaps in
    protection of basic liberties" (2009a, p. 608). Ethan Katsch has argued that one of the advantages of
    adopting spatial frameworks as an analytical tool is that they do not isolate activities but rather link
    those activities to other institutional and social changes (1993, p. 412).
3. Freund's ideas differed greatly from those of another pioneer of administrative law, Felix Frankfurter,
    who saw administrative law as a way to free government from the oversight of courts (see Ernst, 2009).
4. The bad tendency test allowed government to punish or prevent expressive acts that were deemed by
    authorities to be potentially damaging to the public welfare.
5. The zenith of the Place Framework was the Court's decision in *Schneider v. State* (1939) limiting
    government's ability to use the police power to control expressive activities in parks and city streets.
    Justice Owen Roberts wrote, "We are of the opinion that the purpose to keep the streets clean and of
    good appearance is insufficient to justify an ordinance which prohibits a person rightfully on a public
    street from handing literature to one willing to receive it … … [T]he streets are natural and proper
    places for the dissemination of information and opinion; and one is not to have the exercise of his liberty
    of expression in appropriate places abridged on the plea that it may be exercised in some other place"
    (*Schneider v. State*, 1939, p. 163).

REFERENCES

Alexander, Gregory S. (1997). *Commodity & propriety: Competing visions of property in American legal thought, 1776–1970*. Chicago, IL: University of Chicago Press.

Allen, David S. (2011). "Spatial frameworks and the management of dissent: From parks to free speech zones." *Communication Law & Policy*, 16, 383–424.

Allen, David S. (2014). "The ethical roots of the public forum: Pragmatism, expressive freedom, and Grenville Clark." *Journal of Mass Media Ethics*, 29, 138–152.

Arendt, Hannah (1958). *The human condition*. Chicago, IL: University of Chicago Press.

Aspan, Maria (2006). New republic suspends an editor for attacks on blog. *New York Times*, September 4, Section C, p. 4.

Balkin, Jack M. (2016). "Cultural democracy and the first amendment." *Northwestern University Law Review*, 110(5), 1053–1096.

Chicago Daily Tribune. (1891). The lake-front forum. January 15, p. 4.

Cohen, Morris R. (1927). "Property and sovereignty." *Cornell Law Quarterly*, 13, 11–30.

Cornelius v. NAACP Legal Defense and Educational Fund, Inc., 473 U.S. 788. (1985).

Davis v. Massachusetts, 167 U.S. 43. (1897).

de Certeau, Michael (1984). *The practice of everyday life*. (S. Rendall. Trans.). Berkeley: University of California Press.

Dewey, John (1927). *The public & its problems*. Chicago: Swallow Press.

Dewey, John (2008). *The middle works of John Dewey, 1899–1924*. (Vol. 14). ed. J.A. Boydston. Carbondale: Southern Illinois University Press. (Original work published 1922).

Ely, James W., Jr. (1992). *The guardian of every other right*. New York: Oxford University Press.

Ely, Richard T. (1914). *Property and contract in their relations to the distribution of wealth*. New York: Macmillan.

Ernst, Daniel R. (2009). "Ernst Freund, Felix Frankfurter and the American *rechsstaat*: A transatlantic shipwreck, 1894–1932." *Studies in American Political Development*, 23(2), 171–188.

Fisher, Philip (1988). "Democratic social space: Whitman, Melville, and the promise of American transparency." *Representations*, 24, 60–101.

Freund, Ernst (1976/1904). *The police power: Public policy and constitutional rights*. New York: Arno Press.

Goffman, Erving (1963). *Behavior in public places*. New York: The Free Press.

Habermas, Jürgen (1989a). *The theory of communicative action*. (Vols 1–2). (T. McCarthy. Trans.) Boston: Beacon Press. (Original work published in 1981).

Habermas, Jürgen (1989b). *The structural transformation of the public sphere: An inquiry into a category of bourgeois society*. (T. Burger. Trans.). Cambridge, MA: MIT Press.

Habermas, Jürgen (1990). "Discourse ethics: Notes on a program of philosophical justification." In Christian Lenhardt and Shierry Weber Nicholsen (Eds.), *Moral consciousness and communicative action* (pp. 43–115). Cambridge, MA: MIT Press.

Habermas, Jürgen (1996). *Between facts and norms: Contribution to a discourse theory of law and democracy*. (W. Rehg. Trans.). Cambridge, MA: MIT Press.

Hague v. CIO, 307 U.S. 496. (1939).

Hall, Peter (2002). *Cities of tomorrow*, 3rd ed. Malden, MA: Blackwell.

Jones, Alan (1967). "Thomas M. Cooley and 'laissez-faire constitutionalism': A reconsideration." *Journal of American History*, 53, 751–771.

Kalven Harry, H., Jr. (1965). "The concept of the public forum: Cox v. Louisiana." *The Supreme Court Review*, 1965, 1–32.

Katsch, Ethan (1993). "Law in a digital world: Computer networks and cyberspace." *Villanova Law Review*, 38, 403–432.

Kellerman, Aharon (2014). *The internet as second action space*. London: Routledge.

Kitchin, Rob, and Dodge, Martin (2011). *Code/space: Software and everyday life*. Cambridge, MA: MIT Press.

Los Angeles Times. (1882). Letters from the people: A loud call for farmers to economize in forage. September 5, p. 3.

Marchese, David (2019). Talk. *New York Times Magazine*, March 24, 23–25.

Mattson, Kevin (1998). *Creating a democratic public*. University Park, PA: The Pennsylvania State University.

McCarthy, Thomas (1988). *The critical theory of Jürgen Habermas*. Cambridge, MA: MIT Press.

McCurdy, Charles W. (1975). "Justice field and the jurisprudence of government-business relations: Some parameters of laissez-faire constitutionalism, 1863–1897." *Journal of American History*, 61, 970–1005.

Nebbia v. New York, 291 U.S. 502. (1934).

Nimmer, Melvin B. (1984). *Nimmer on freedom of speech: A treatise on the theory of the first amendment*. New York: Matthew Bender.

Park, Robert E. (1923). "The natural history of the newspaper." *American Journal of Sociology*, 29, 273–289.

Perry Educational Association v. Perry Local Educators' Association, 460 U.S. 37. (1983).

Police Department of Chicago v. Mosley, 408 U.S. 92. (1972).

Post, Robert C. (1987). "Between governance and management: The history and theory of the public forum." *UCLA Law Review*, 34, 1713–1835.

Reich, Charles A. (1994). "The new property." *Yale Law Journal*, 73, 733–787.

Rosenberg, Scott (2008). *Dreaming in code*. New York: Three Rivers Press.

Ryfe, Daniel A. (2006). "News, culture and public life: A study of 19th-century American journalism." *Journalism Studies*, 7(1), 60–77.

Schneider v. State, 308 U.S. 147. (1939).

Schuyler, David (1986). *The new urban landscape: The redefinition of city form in nineteenth-century America*. Baltimore, MD: Johns Hopkins University Press.

Sennett, Richard (1978). *The fall of public man*. New York: Vintage Books.

Sennett, Richard (1994). *Flesh & stone: The body and city in western civilization*. New York: W. W. Norton & Co.

U.S. Const. amend. V.

Upton, Robert (2002). "Planning praxis: Ethics, values and theory." *The Town Planning Review*, 73(2), 253–269.

Wallace, Aurora (2012). *Media capital: Architecture and communications in New York City*. Urbana: University of Illinois Press.

Zick, Timothy (2009a). "Constitutional displacements." *Washington University Law Review*, 86, 515–608.

Zick, Timothy (2009b). *Speech out of doors: Preserving first amendment liberties in public places*. New York: Cambridge University Press.

31

Media Ownership, Autonomy, and Democracy in a Corporate Age

Matthew P. McAllister and Jennifer M. Proffitt

This chapter[1] begins with two tales about media ownership, autonomy and democracy in a corporate age, one involving adding ideas/images to media content, the other involving subtracting ideas from content. The first draws from what Miles McNutt (2018) calls "The Disney Episode" of a particular kind of television sitcom. In the most recent examples of these episodes, the fictional families of *Modern Family* (in 2012), *The Middle* (two episodes in 2014), and *Black-ish* (2016) visit various Disney theme parks, with the plot and the setting centered on Disney. They become, in essence, a giant promotion for Disney, but in the guise of television entertainment. It is not an accident that these episodes from these particular sitcoms are set at Disney (rather than, say, Cedar Point, which would be more logical geographically for the Indiana-based Hecks of *The Middle*). All three programs aired on the Disney-owned ABC broadcast network, with the most recent, *Black-ish*, also co-produced by ABC Studios. McNutt observes that ABC's "Disney Episodes" are perhaps in decline, not because Disney is now less willing to use its owned outlets, but rather because of the decline of the broadcast program as a marketing vehicle.

The second example involves the potential removal of news topics. In the online site of *The New York Post* in 2019, a report of an alleged sexual assault in the 1990s of writer Jean Carroll by Donald Trump disappeared. As CNN reported on June 25, "The *Post's* story about Carroll's sexual assault allegations was mysteriously scrubbed from the tabloid's website on Friday afternoon" (Darcy and Garvey, 2019). The removal was purportedly dictated by Col Allen, a former editor and then-consultant of the paper, who also is a confidante of Rupert Murdoch, the CEO of News Corp, the owner of *The Post*. Murdoch is also a Donald Trump supporter, and News Corp. owns Fox News. In a similar fashion, it has been reported that a story about Donald Trump's sexual affair with, and payoff of, Stormy Daniels was prepared at Fox News during the 2016 election, but was never aired. The reporter, Diana Falzone, told her colleagues that the head of FoxNews.com said to her about why the story was killed, "Good reporting, kiddo. But Rupert wants Donald Trump to win. So just let it go" (Mayer, 2019). The timing of such a story, and on an outlet like Fox News, may have had effects on the outcome of a very narrow 2016 election.

As the above examples highlight, ownership potentially affects the viewpoint, tone and agenda of both journalism (like a newspaper and cable broadcasting; see Proffitt, 2007a) and non-journalistic entertainment (situation comedies). Media creators may feel pressure to fit in with corporate agendas, either by promoting agenda items/worldviews or by not criticizing them.

Sometimes this pressure may be explicit—such as what seems to be the case in the News Corp. examples—and sometimes it may be more subtle or implicit: the most recent Disney episode examples were not necessarily mandated by the corporate owner, but rather "suggested" (quoted in McNutt, 2018).

Such characteristics of corporate media ownership have implications for the media's role in democracy, for media-worker and media-user autonomy, for diversity, for policy, and for ethics—on a variety of levels. This chapter will discuss basic trends and implications of large media ownership in a corporate age by engaging much of the increasingly sizable literature on mega-media corporations. The first section will briefly review the nature of large-media ownership today, including reasons for why it has taken the form that it has. Following this, the chapter will explore concerns about how large corporate media ownership may undermine democracy and individual autonomy, with specific discussions of the dangers of standardization, corporate promotion and the influence of advertising. The chapter concludes by reflecting on ethical strategies for mitigating the influence of media ownership.

THE NATURE OF CORPORATE MEDIA OWNERSHIP

Concerns about who owns the media have existed since at least the adolescence of industrial-age media. Max Weber, one of the founders of sociology, argued in a 1910 speech about the need to be wary of the dangers of newspaper "trusts," among other economic forces that affect media (Weber, 1910/1976). Although not analyses of specific media ownership patterns per se, the work of certain Frankfurt School theorists assumed monolithic ownership structures and foreshadowed modern criticisms of media ownership, such as standardization of content (Horkheimer and Adorno, 1948/2001). Concentration and conglomeratization of media became an object of study by journalistic and media studies scholars with the 1983 publication of *The Media Monopoly* by Ben H. Bagdikian and subsequent updates (such as Bagdikian, 2004). Robert McChesney is also a key scholar in foregrounding, from a critical media studies perspective, large media ownership (especially 2004, 2015). Other scholars have also looked critically at general media ownership patterns (e.g., Alger, 1998; Baker, 2007; Barnouw et al., 1997; Bettig and Hall, 2012; Croteau and Hoynes, 2006; Hesmondhalgh, 2019; Hardy, 2010, 2014; McAllister and Stoltzfus-Brown, 2019; Proffitt and Tewksbury, 2012; Schiller, 1989; Valcke, Sükösd, and Picard, 2015; in addition to the geographic- and medium-specific work discussed below).

Not all scholars believe media ownership is sufficiently concentrated to warrant concern. Compaine argues in one of his authored chapters in the often-cited work *Who Owns the Media*, that the number of "leading firms" in the media industries as increasing in the 2000s (Compaine & Gomery, 2000, ch. 8). In another work, he calls the idea of a media monopoly a "myth," citing as evidence his own industry data and previous quantitative studies about ownership and content diversity/quality (Compaine, 2005).

However, Baker (2007) specifically answers Compaine's claim of a plethora of media owners with several counter-arguments, including these four: (1) concentration may be more apparent if one considers media separately, rather than as one large entity that sums all companies regardless of medium; (2) media organizations may serve different, but essential functions in a given industry such as production, distribution and exhibition, and can therefore leverage industrial power through such ownership strategies as vertical and horizontal integration; (3) specific markets, especially in local areas, may belie what seems to be a more open market nationally in some circumstances; and (4) quantitative studies that correlate ownership with content are often problematic measures of ownership dangers, given the general philosophy of checks and

balances of ownership in democracy (more on this in a later section) and the difficulty of oper-ationalizing and measuring nebulous concepts like "diversity." About this latter point, Einstein has argued that her own quantitative data has been narrowly interpreted by pro-industry forces to justify self-interested deregulation policies (see her trade journal piece, Einstein, 2004, com-menting on data found in, Einstein, 2003; see also Kunz, 2007, p. vii). Others have also argued that while smaller media producers still exist, they are increasingly intertwined with larger media firms, a partnership which offers some advantages, but also erodes the concept of "alternative" (Hesmondhalgh, 2019).

Other critics highlight concentration of ownership in different industries and different sec-tors in the same media industry, a direct link to the first three points noted above. The local monopoly enjoyed by many newspapers and their vertical integration of production, distribution and exhibition have historically given them an influence that exceeds the number of companies nationally, at least until the serious post-millennial financial problems in that industry. Vertical integration of production and distribution in both the motion picture and television industries exacerbate the influence that a few significant companies (WarnerMedia, Disney, Viacom, News Corp.) have over those industries (Kunz, 2007; Meehan, 2005; Wasko, 2003). For example, despite being called a "no show in the major segments of newspapers and broadcasting" by Compaine (Compaine and Gomery, 2000, p. 485)—perhaps because it does not solely own one of the Big Four U.S. television networks—Time Warner (now called WarnerMedia, owned by AT&T) nevertheless owns significant television program production companies with inroads into syndication. In the mid-2000s, "Never in the history of TV has one broadcast entity dom-inated programming like the CBS Television Distribution Group" (Berman, 2006, p. 38); the company resulted from a merger in 2006. In radio, iHeartCommunications, Inc. (formerly Clear Channel) owns more than twice as many U.S. radio stations—well over 800—as its number two competitor, and this *after* significant reduction over the years of its holdings. The recorded music industry is concentrated at many different levels, including production—via the "loose integration" (Burkart, 2005) with multi-media conglomerates of the Big Three music compa-nies (Universal, Sony and Warner). The comic book industry features a near duopoly at the production level via Marvel and DC Comics, and near monopolistic conditions at both print distribution (to comic bookshops through a company called Diamond) and digital distribution (the cloud-based platform comiXology) (McAllister and MacAuley, Forthcoming). Scholars have argued that concentration of media ownership is also a problem in many other countries besides the United States (see for example Gutiérrez and Ocampo, 2019; Thomas and Nain, 2004; Winseck, 2019).

And although the number of media owners increases when one looks at the entire media sys-tem rather than players in individual industries, it is also true that several of the largest media conglomerates are cross-media owners, meaning that they are major forces in several media industries. As noted above, concentration of ownership in particular media industries has been a concern for several decades. However, McChesney (2015) contends that one difference between the past and the current situation is that in the past different companies controlled each medium: the broadcast networks in television, the "Majors" in film. But now often the same companies dominate in different industries. WarnerMedia, for example, is a significant or dominant player in film and television production; film distribution; cable television production and distribution; and comic-book production. Its corporate owner, AT&T, is also a major player in exhibition. The rate of various media acquisitions has arguably accelerated in the 2010s. Three of the largest media mergers in history have occurred in the three-year period from 2016–2019: AT&T's purchase of Time Warner; Disney's purchase of many of the entertainment assets of 21st Century Fox; and the Charter-Bright House-Warner Cable merger (Hayes, 2017).

At least four major factors have influenced the creation of modern media ownership. Although decried by some industry press accounts as out-of-date, the concept of "synergy" still guides many large media corporations as they look to maximize revenue and publicity by moving branded licenses through owned subsidiaries (Meehan, 1991, 2005). Newer forms of synergy may be more focused on reaching target markets through multiple means, such as Disney's multi-media kids strategies using Disney-branded (and Fox-branded) films and videos, Radio Disney, The Disney Channel, Disney XD, Disney theme parks, Marvel Entertainment, and special programming on ESPN and ABC. The latter includes the previously mentioned "Disney Episodes" and specials such as *The Lion King: Can You Feel The Love Tonight with Robin Roberts* that aired ABC primetime in July 2019 and coincided with the release of the 2019 remake of *The Lion King* (for discussions of the political economy of Disney, see Budd and Kirsch, 2005; Wasko, 2001).

New media technologies and digitization have also encouraged media growth, as older analog-era corporations look to be "converged" economically/structurally to match predicted technological convergence, while newer digital-era corporations have developed a different strategy that still encourages acquisitions. In addition to websites based upon traditional media brands (cnn.com; espn.com), Time Warner's acquisition by AOL in 2000, News Corp's ownership of MySpace.com, Viacom's purchase of IFILM and Neopets, Inc., and Disney's grab of Club Penguin, a kids social networking site, are historical examples of big media's eagerness to digitally converge (sometimes with financially disastrous results, as in the AOL and MySpace mergers).

More successful in the 2000s has been the growth of companies—especially Google and Facebook—who started in the digital era and have grown to dominate Internet and social-media revenues. Google's parent company Alphabet owns Gmail, YouTube, Waze, Google Maps, Pixel Phone, Blogger, Google Photos, Google Ads, and Google Analytics, among many other subsidiaries. With Google, the goal is not the spread the same mediated content across different owned subsidiaries, but rather to gather user data—about email, video postings and viewings, locations, mobile phones, blogging, and photos—by providing seemingly "free" services that entice users to share data with the platforms, and then generate revenue through targeted advertising (a practice that the ownership of Google Ads and Google Analytics greatly facilitates). Facebook's ownership of Instagram is a similar strategy. In terms of revenue dominance, Alphabet and Facebook were estimated to receive over 59 per cent of the total digital ad sales in the US in 2019 (Poggi, 2019). This bears repeating: that is two companies operating as a duopoly by controlling well over 50 per cent of *all* US digital advertising revenue. A rising competitor in the 2010s has been Amazon, which of course is not just an e-commerce site, but also an entertainment site offering both original and curated programming and movies; in this case, media and TV are watched within a web environment originally designed for selling and purchasing. Amazon is also a major player in "next internet" functions like cloud computing, and "The Internet of Things," the latter designed to integrate different elements and spaces in our lives (kitchens, bedrooms) with both automatic shopping/purchasing, media forms (music and news) and data collection (patterns of specific purchases and consumption of music and news) (Mosco, 2018).

Globalization has also encouraged large media growth, as media empires peddle their own worldwide branded products such as Superman (WarnerMedia), Jurassic Park (Comcast), and Star Wars (Disney). Moreover, non-media global advertisers desire media corporations with large-scale distribution for global campaigns. This trend is encouraged not just by brands like McDonalds and Coca-Cola, but also by global advertising organizations such as Omnicom (see below), and thus facilitated by such media outlets as Comcast and its subsidiary Sky, which operate transnationally.

Finally, large media corporations have gotten bigger because they have been allowed to. Policies which favor privatization of media resources as well as the elimination of regulations,

such as the Financial Interest and Syndication Rules and caps on broadcast ownership, or the elimination of Net Neutrality regulations that favor large Internet Service Providers (ISPs) in the US, have both influenced growth and been influenced *by* growth through the lobbying and legal clout of big media (Proffitt, 2007b; Ramey, 2007).

It should also be noted that a factor accentuating the power of a few very large media corporations is the uniformity of structure that many of them share, as well as those in the lower tiers of influence. Baker (2007) argues that, in addition to a diversity of owners, a diversity of ownership structures—publicly traded corporations, non-profit corporations, non-stock corporations, government owned, sole proprietorships, partnerships, cooperatives—would be democratically healthy. But the corporate structure dominates. In fact, the publicly traded corporation may be especially problematic as an ownership structure for media. The profit expectation emphasized not just by dividend payments but by publicly known, changing and traded stock values and the scrutiny of quarterly earnings reports, places pressure on short-term growth and profit maximization, not just a reasonable return, all of which increase the salience of the below factors.

Also exacerbating the emphasis on profits are private equity firms which, since at least 2005, have been making bids for and buying up media corporations such as Clear Channel (now called iHeartCommunications but is owned by iHeartMedia) and MGM. Private equity firms are not held to the same regulations and standards as publicly held corporations, which results in a lack of transparency, undermining the ideal of the media as watchdog. While private equity firms tend to break up concentrated corporations, such as the case of Clear Channel selling off hundreds of its radio stations and its television station group, the goals of such firms are short-term and include quick returns on their investments, improved efficiencies (including cutting labor and wages), higher profit margins, and the tendency to within a few years sell the company or go public. Nowhere is this more evident than in the newspaper industry as investors such as Fortress Investment Group LLC (New Media Investment Group/GateHouse Media) and Alden Global Capital LLC (Digital First Media/MediaNews Group) have acquired not only large city newspapers, such as the *Denver Post, The Columbus Dispatch,* and the *Boston Herald*, but also hundreds of smaller and regional daily and weekly papers. The result has been devastating cuts to newsrooms as well as the potential for increased news deserts with the loss of additional local newspapers. For example, in May 2019, as it was in potential merger talks with Gannett (the owner of *USA Today* and more than 100 daily newspapers), GateHouse reportedly planned to consolidate 50 local papers it owned in Massachusetts into 18 regional newspapers (Borchers, 2019), and there have been reports of more than 200 layoffs across the company just in the first half of the year (Jones, 2019). Such incentives accentuate the tensions between the economic goals of media-as-businesses and the democratic goals of media-as-valued-communication resources, as discussed below.

HOW OWNERSHIP MAY UNDERMINE DEMOCRACY

Owners of media operations may exert influence over content and distribution in a variety of ways, including the allocation of particular resources over other possibilities; the hiring and firing of key personnel and the perceived work autonomy by these personnel; the general climate of the operation shaped through private and public statements; and even direct intervention in day-to-day operations, although this may be rare in large corporations.

Of course, in the larger system of the political economy of the media, media ownership is one of several systems that may affect the structure, availability and range of messages in the media. Other systems include the profit motive generally, different media funding systems (including

advertising), and content sources, such as public relations activities. Many of the criticisms below would also apply to these other economic pressures. As will be seen, some of the dangers concern how ownership trends partner with these additional pressures to create a less-than-ideal democratic system. The discussion of these dangers will begin with an umbrella explanation, and from there become more specific about media ownership influences.

UNDERMINING ASSURANCES OF DISTRIBUTIVE DEMOCRACY AND MORAL AUTONOMY

Baker (2007) posits that a sufficient argument for a diversity of ownership is the "Democratic Distribution Principle": "a claim that democracy implies as wide as practical a dispersal of power within the public sphere" (p. 7). This principle helps to prevent controlling forces throughout the wider society, since, to use a Habermasian concept, the public sphere can influence political support, and, when abused by a few controlling forces (including media ownership), can undermine democracy. However, measures of content diversity in media, even if done without bias and with subtlety (rarely accomplished, in Baker's view), are insufficient safeguards. Sometimes, a complete diversity of views and opinions will not be found in media/the public sphere, but this limited scope may not result from powerful, controlling forces, but instead may be legitimate if democracy, through authentic deliberation, has decided on the parameters of reasonable ideas. For example, most of us can agree that cable TV systems are under no democratic obligation to carry The Pro-Nazi Channel (although the Trump Era perhaps has eroded the universalism of this claim); content analyses that find no Nazi representation should not conclude a lack of democratic process as a reason for this exclusion.

This is complicated by the assurance of some degree of moral autonomy that democracy requires of citizens in evaluating the range of information as legitimate or manipulated. Christman (2018) offers a basic definition of autonomy as "to be one's own person, to be directed by considerations, desires, conditions, and characteristics that are not simply imposed externally upon one, but are part of what can somehow be considered one's authentic self," including freedom from the manipulation of external forces. Autonomy can be consensus oriented, as an autonomous person may choose, upon reflection, to adapt the values of a larger social group, such as a community. Although admittedly an ideal, true moral autonomy requires not just the adoption of values true to oneself, but also "second-order" reflection/values that allow authentic awareness and (re-)evaluation of one's values and desires (Christman, 2018).

If the public sphere and the wider culture are limited in terms of information, perspectives and even broader values, then this limitation may corrupt not just first-order values, but also second-order values; our ability to evaluate our value system. If we assume that the larger culture has the ability to enculturate/socialize members of that culture, from an ideological perspective this would lead to hegemony, where the key definitions of life and society—including our moral evaluation of ourselves and others—would be influenced by power structures in a society that also influence culture. Both our values, and our ability to evaluate our values, would be degraded in such a situation.

Combining then an unmeasurable democratically distributive range of ideas with the need for autonomous second-order reflection provides a justification for diverse media ownership. The influence of content by a media owner is not always obvious. If one may not know when the range of ideas in media may be the result of a democratic deliberation, or the result of limited (and therefore potentially limiting) media ownership, and if there is a danger of ideologically slanted or narcotizing media content undermining our ability to assess reflection of our own

values, then the dangers of media ownership need to be minimized as much as possible. The best way to ensure that media ownership does not negatively affect democratic distribution and moral autonomy is to expand the number and categories of owners.

But if media ownership can limit the range of ideas—or expand them in less-than-useful ways—how is this likely to occur, especially given the dominance of the profit-obsessed corporate structure? What specific content dangers have critics of concentrated media ownership raised? The next sections explore a few of these dangers: increased standardization and decreased localism; the emphasis on self-interested corporate promotion; and the increased leverage of advertising on corporate media ownership.

EMPHASIZING STANDARDIZATION: DEEMPHASIZING LOCALISM

Critics have argued that large media owners encourage standardized content across various holdings, both to exploit economies of scale and to develop consistent brand images (Croteau and Hoynes, 2006; McChesney, 2004). This clearly affects local communities, especially in its reduction of media content specifically for that community.

Localism has long been a fundamental aspect of broadcasting and its regulation (e.g., Napoli, 2001). As early as the 1920s, broadcasters were viewed as public trustees, a concept solidified in the Radio Act of 1927 and the allocation of broadcast licenses. Broadcasters were given free licenses (and a monopoly) with the agreement that they would serve the interests and needs of the community in which they were located, as the airwaves were considered public property rather than private property. Historically, the Federal Communications Commission (n.d.) has defined broadcast television and radio as "distinctly local media" and has enacted requirements to ensure the needs of the community are served. Indeed, broadcasting is crucial for local communities, as evidenced by the role of radio broadcasting to disseminate information about Hurricane Maria in Puerto Rico in 2017 (Bell, 2018). Broadcasters have argued that economic realities, particularly competition from other media, suggest that multiple ownership and the financial efficiencies that accompany it are necessary in order for free over-the-air broadcasting to survive. With concentration of ownership, broadcasters are able to benefit from standardization and centralization of production, but localism requires decentralization (Proffitt, 2007b). As can be seen in radio since the Telecommunications Act of 1996 lifted national ownership caps, the promise of localism often takes a backseat to the benefits of economies of scale.

The rise of large broadcasting group owners such as iHeartMedia, which may format playlists and other "format radio" content from headquarters, has led to the systematic replacement of local programming by nationally distributed canned programming and news. Technology such as Voice Tracking has also allowed group owners to cut labor because the same disc jockeys can be heard across the United States. Syndicated national radio programming is also cheaper to produce and distribute among radio stations than it is to have a local news team or local public affairs programming for each radio station one owns.

This trend is evident in broadcast television as well, as it is cheaper to recycle centralized produced news and network news and to use video news releases created by the public relations industry and distributed free to news stations than it is to pay additional journalists. To reduce costs and increase revenue, Sinclair Broadcasting, one of the largest television groups, has historically cut local news from several of its stations, replacing news with syndicated entertainment programming. It has issued "must-carry" commentaries—often from a right-wing point of view—to its owned stations. A viral video of uniform language from different local station newscasters—all working for Sinclair-owned stations, all of them ironically parroting about "the

troubling trend of irresponsible, one sided news stories plaguing our country"—highlighted the dangers of standardized content and an amplified, monolithic perspective when one national company owns hundreds of local news outlets (Burke, 2018).

EMPHASIS ON PROMOTION AND MULTI-MEDIA REVENUE STREAMS

Large media corporations emphasize the promotion of their products to an outlandish degree. The average cost of marketing a major U.S. Hollywood film globally in 2014 was $200 million (McClintock, 2014). Comcast (owner of Universal) and Disney are among the largest advertisers in the world. Network television sacrifices millions in advertising revenue each year to air promotional spots for their own programs. Significant "below the line" marketing and promotional activity is added to traditional advertising spending. Both why they do this, and how they do this, speak to their characteristics as corporate media and the damage these characteristics may impose upon cultural vibrancy.

Why media corporations emphasize marketing includes such medium specific reasons as the importance of a big box office during opening weekend (film) and the increased competition among broadcast and cable networks (TV) (McAllister, 2000). But another reason has to do with the nature of promotion among synergy-oriented companies. Modern media conglomerates not only have multiple licenses to promote, but also multiple subsidiaries in which to promote them. This brings us to the "how" question, because media conglomerates do not just promote brands through advertising, but also through general promotional activities that fully exploit their media subsidiaries.

A major way this is done is through "plugola," defined in this context as the appearance of one media brand in another media branded text owned by the same corporation, for promotional purposes (McAllister, 2002). If characters in one television program appear in another television program owned by the same production company, then this would be plugola. When actors from a Fox television program are shown in the audience of a televised sporting event with the announcers commenting, this also would be plugola.

One particularly disturbing characteristic is the use of journalism to promote corporate holdings. In this case, "fluff" news stories are created around a corporately owned media license. Certainly the emphasis on ratings and profit has increased big media's tendency to cover celebrity and "lifestyle" over more issue-oriented news, but so has the number of brands the corporation wants to promote with corporately owned news. This is especially an issue when news operations are owned by larger conglomerates which are primarily entertainment oriented (such as Disney's ownership of ABC News). Synergistic plugola news stories are common in corporate news, including dozens or even hundreds of stories about specific programs such as NBC's *Seinfeld* (McAllister, 2002); plugola stories in local markets (Higgins and Sussman, 2007); and news stories about a sport (NASCAR), which had an incentive not just to plug the sport, and the broadcast of the sport on a particular network (such as NBC), but also to narratively construct a particular type of viewer-consumer (the "NASCAR dad") for the sport (Vavrus, 2007). Cross-media connections may affect the news agenda throughout the world, including in South Korea (Lee, Baek, Pae, Jeong, and Jung, 2018) and Belgium (Panis, Van den Bulck, Verschraegen, van der Burg, and Paulussen, 2015). Such stories not only absorb valuable news time/space that could be devoted to other stories, but also typically infuse the story with a consumption orientation, in this case the desirability of consuming media brands.

Perhaps even more significant is the expansive nature of the mediated "text" in cross-media corporate ownership. Meehan (1991) argued that a media brand such as Batman could

be conceptualized as a "commodity inter-text," in which the various manifestations of the brand—Batman in film, comics, TV, novelizations, video games, soundtracks, amusement park rides—become a giant self-referential promotion for the brand. Sandler (2003) contended that one reason animation has become such a cultural force is the corporate flexibility that this form offers for branding, merchandising and cross-media synergy. Meehan (2005) notes how a brand can be reused throughout a media empire in its original form through a variety of techniques she labels "recirculation" (such as syndication), "repackaging" (DVD versions), "reversioning" (Director's Cuts), "recycling" (tribute specials/clip shows) and "redeployment" (spin-off series). Proffitt, Tchoi, and McAllister (2007) observed that the promotional incentives in corporate texts were enhanced in The Matrix franchise, as the various licensed texts created an "intertextual flow" in which a grand, linked narrative was touted: to not buy the video game or promotional DVD meant that fans missed a piece of the plot or character development. Such expansive corporate texts push off the cultural agenda other potential aesthetic or political offerings.

Many works have also noted how the movement of texts through different media outlets may ultimately dilute potentially resistant or counter-hegemonic messages in the text. In terms of fantasy characters, for example, scholars have pointed to the textual "sanitization" of Batman in Warner Brothers films in the 1990s (Terrill, 2000) and of X-Men's Wolverine in Fox films (Johnson, 2007), the downplaying of class issues in the translation of Harry Potter from books to film (Waetjen and Gibson, 2007), and the removal of some of the most subversive elements in Powerpuff Girls merchandise when compared to the original cartoons (Van Fuqua, 2003).

VULNERABILITY TO BIG ADVERTISING

Despite the title, the first six editions of Bagdikian's *Media Monopoly* explored two dangers of modern media empires, not just one: ownership influence (the monopoly part) and advertiser influence. One chapter explicitly dealt with the interaction between the two: Chapter 7, simply titled "Monopoly" (regrettably, this chapter was absent from the 2004 edition). Among his arguments is that large-scale advertising encourages large-media growth, as mega-media organizations can offer more cost efficiencies and conveniences to advertisers and thus exploit a competitive advantage compared to smaller firms. Smaller media firms, then, are less attractive to large-scale advertisers and have a tougher time surviving. In addition, advertising wants to reach as many consumers as possible (even when targeting relatively narrow demographics), thereby increasing uniformity across media holdings, as advertisers look for media content that is non-controversial, non-threatening and consumption-oriented. One study found that Advertising Directors at chain newspapers were more likely to report the intrusion of advertising influences upon news content than non-chain papers (An and Bergen, 2007).

Besides encouraging growth and uniformity, advertising may also be especially influential with large media owners. As corporate media look to sell their own brands and break out of the "clutter," they often partner with product advertisers to develop cross-promotional campaigns to increase publicity: to make sure the promotional volume, in the words of *This is Spinal Tap*, "Goes to 11." In traditional media, such cross-promotional deals come with a price, often in the form of product placement (product appears in a media text), the more intrusive product integration (product becomes central to a media text), and other forms of advertising's appropriation of media symbols (McAllister, 2000). With digital media, these forms can include native advertising and content marketing (Einstein, 2016). Big advertising, then, can further emphasize the promotional thrust of large-media corporations.

The global nature of media corporations and advertising organizations also has increased the power of advertising over media. Although consumers know the names of large-media corporations and large advertisers, much less known are large-scale advertising agencies and companies that own these agencies. In fact, ownership concentration is not just a concern with media companies, but also with advertising agencies. The top three global advertising organizations (WPP Group, Omnicom, Publicis) generated more than $45 billion in 2017 revenue (*Ad Age*, 2018). These global advertising/marketing organizations own several global agencies that, among other activities, directly engage in buying advertising time/space from media companies. Since, when dealing the global media corporations, a global advertising agency such as BBDO does not just represent one client, but several clients, and does not even just represent its own clients, but potentially all of the clients of its corporate owner (in this case, Omnicom) representing literally billions of dollars in billings, this gives corporately owned agencies a tremendous amount of clout with media corporations.

A last advertising-oriented consideration of ownership is that the more advertising-funded subsidiaries that a multi-media corporation has, the more vulnerable that corporation becomes to advertising-induced pressure, even when non-advertising subsidiaries are involved (Baker, 2007). Thus, if an advertiser is satirized in an HBO movie, the advertiser may retaliate by threatening to withdraw advertising from WarnerMedia's other cable television networks. Even more generally, pressure groups may boycott advertisers of a corporation's holdings if they object to media content in any subsidiary of that corporation. If at all successful, such boycotts reinforce advertising's influence over media content—in this case even media content not directly supported by advertising, but nevertheless connected to a cross-media owner.

ETHICS AND MEDIA OWNERSHIP IN A CORPORATE AGE

The issue of corporate media ownership and its effects upon content and culture is ultimately a structural issue. As such, this issue is addressed, at best, by changes in the incentives of the larger economic system or, second best, by the implementation of policies about media structure that mitigate the destructive growth and character of media owners and its effect upon culture and democracy (such policy recommendations are offered by Baker, 2007; Ramey, 2007; chapters in Valcke, Sükösd, and Picard, 2015; among others). But ethical considerations can play a role in sparking such legislation and larger changes, and in negotiating through the current media landscape until such changes occur.

Government legislators can embrace democratic principles both in terms of what policies are best to maintain democratic vibrancy (including ownership policies), and what democratic process is best to decide on such polices (keeping powerful media lobbies at bay). The earlier section on democratic distribution and moral autonomy argued that the desire for diverse ownership is a democratic investment that can help philosophically ensure a vibrant system. As such, Baker (2007) and others note that concern about media ownership is not a clear-cut "right versus left" political issue, and as such bi-partisan pressure may help keep politicians on target. In addition, citizens groups such as Free Press (www.freepress.org) can help focus policy makers on their ethical and democratic obligations.

Media owners, in turn, can maintain an ethical stance in distinguishing between maximized profits and reasonable profits, especially as the drive to maximize profits may lead to many if not most of the typical dangers of large corporate media ownership (standardization, promotion, advertising influence, etc.). Owners should, in other words, embrace a "Public Sphere" model of media in addition to a "Market" model (Croteau and Hoynes, 2006). Again, the corporate

structure is more likely to reward maximization versus reasonableness, but perhaps media-specific policies that create democratic incentives—and disincentives—for owners and create more diversity in ownership structures can help remind media owners that, because they are in the media, they have other socio-cultural obligations to fulfill besides those to the shareholders.

Media workers, when working in a larger corporate context, may feel concerned about the effects of this context upon their job and the conflicts this context can create with their journalistic, aesthetic and ideological standards (Turow, 1994). Worker empowerment strategies such as unionization may also balance out the decline in autonomy due to large corporate ownership (Proffitt, 2019), in addition to an increase in employee- or community-owned outlets. When teaching classes to future media workers that address issues of owner and advertiser influences, frequently students will wonder how they may negotiate such structures with their own values. One way is to look for contradictions in this complex system that can allow for creative autonomy (Hesmondhalgh, 2019), and exploit those contradictions when they are presented.

Media studies scholars and teachers can be active in raising issues of media ownership. The implementation of media literacy programs in K-12 schools that teach kids from an early age not only how to watch or read media products critically and examine who owns the media, but also create their own media content, are essential in enhancing autonomy with media. Groups such as Media Literacy Now are advocating for legislation that would ensure that students learn the media literacy skills necessary to be active citizens and ethical consumers. Several states, including Washington, Connecticut, Rhode Island, and New Mexico, have passed legislation related to media literacy in schools. And outreach such as PBS NewsHour Reporting Labs and community-based initiatives advocated and supported by low-power FM stations and other grassroots organizations teach kids and adults how to create ethical and creative media content in alternative ownership structures. Additionally, besides scholars' roles in classroom and outreach issues involving ownership, Napoli and Gillis (2006) argued that government policy-makers may be increasingly open to communications scholars, not just economists, as resources for decision making.

Finally, with critical media literacy skills, media users/citizens can apply personal ethics by both keeping informed of how media ownership may influence the media choices they have (who owns whom, for example), supporting alternative forms and funding of media, and letting their governmental representatives know when they believe media policies should be changed or enforced. Citizens who believe they are most informed about media ownership also tend to be more troubled by media ownership trends and policies (cited in Baker, 2007). The ethics of using media in an age of corporate ownership involves not just being informed, but being informed about that particular issue and mindful of opportunities to contribute as active media citizens.

NOTE

REFERENCES

Ad Age Marketing Fact Pack 2019. (2018). Detroit, MI: Crain Communications. Accessed July 15, 2019 at AdAge.com/datacenter.

Alger, Dean (1998). *Megamedia: How Giant Corporations Dominate Mass Media, Distort Competition, and Endanger Democracy*. Lanham, MD: Rowman & Littlefield.

An, Soontae, and Bergen, Lori (2007). "Advertiser Pressure on Daily Newspapers: A Survey of Advertising Sales Executives." *Journal of Advertising*, 36(2), 111–121.

Bagdikian, Ben H. (1983). *The Media Monopoly*. Boston, MA: Beacon Press.

Bagdikian, Ben H. (2004). *The New Media Monopoly*. Boston, MA: Beacon Press.

Baker, C. Edwin (2007). *Media Concentration and Democracy: Why Ownership Matters*. New York: Cambridge University Press.

Barnouw, Erik, Aufderheide, Patricia, Cohen, Richard M., Thomas, Frank, Gitlin, Todd, Lieberman, David, Miller, Mark Crispin, Roberts, Gene, & Schatz, Thomas. (1997). *Conglomerates and the Media*. New York: New Press.

Bell, Ryan. (2018). "After Hurricane Maria, AM Radio Makes a Comeback in Puerto Rico." *Columbia Journalism Review*, April 23. Accessed July 15, 2019 at www.cjr.org/united_states_project/hurricane-maria-puerto-rico-radio.php

Berman, Marc (2006). "Small(er) World." *Mediaweek*, October 9, p. 38.

Bettig, Ronald, and Hall, Jeanne (2012). *Big Media, Big Money: Cultural Texts and Political Economy*, 2nd ed. Lanham, MD: Rowman & Littlefield.

Borchers, Callum (2019). "50 Mass. Newspapers Will Reportedly Consolidate into 18." *WBUR*, May 31. Accessed July 23, 2019 at www.wbur.org/bostonomix/2019/05/31/gatehouse-weekly-newspaper-consolidation

Budd, Mike, and Kirsch, Max H. (Eds.). (2005). *Rethinking Disney: Private Control, Public Dimensions*. Middletown, CT: Wesleyan University Press.

Burkart, Patrick (2005). "Loose Integration in the Popular Music Industry." *Popular Music and Society*, 28(4), 489–500.

Burke, Timothy (2018). "How America's Largest Local TV Owner Turned its News Anchors into Soldiers in Trump's War on the Media." *Deadspin*. Accessed July 15, 2019 at https://theconcourse.deadspin.com/how-americas-largest-local-tv-owner-turned-its-news-anc-1824233490

Christman, John (2018). "Autonomy in Moral and Political Philosophy." In E. N. Zalta (Ed.), *The Stanford Encyclopedia of Philosophy*. Accessed July 15, 2019 at https://plato.stanford.edu/archives/spr2018/entries/autonomy-moral/

Compaine, Benjamin (2005). *The Media Monopoly Myth—How New Competition Is Expanding Our Sources of Information and Entertainment*. Accessed August 2, 2007 at www.newmillenniumresearch.org/archive/Final_Compaine_Paper_050205.pdf

Compaine, Benjamin M., and Gomery, Douglas (2000). *Who Owns the Media? Competition and Concentration in the Mass Media Industry*, 3rd ed. Mahwah, NJ: Erlbaum.

Croteau, David, and Hoynes, William (2006). *The Business of Media: Corporate Media and the Public Interest*, 2nd ed. Thousand Oaks, CA: Sage.

Darcy, Oliver, and Garvey, Marianne (2019, June 25). "Murdoch Lieutenant Ordered Removal of *New York Post* Story on Trump Sexual Assault Allegation, Sources Say." CNN.com. Accessed July 13, 2019 at www.cnn.com/2019/06/24/media/new-york-post-col-allan-trump/index.html?fbclid=IwAR3V6QQRbXvKu4DkND2ZPtKdvVhpc3bjWHGkC0vlF1YnYCd7WMMyux-80V0

Einstein, Mara (2003). "Dereg? We Should Talk Re-Reg." *Broadcasting & Cable*, April 28, p. 50.

Einstein, Mara (2004). *Media Diversity: Economics, Ownership, and the FCC*. Mahwah, NJ: Erlbaum.

Einstein, Mara (2016). *Black Ops Advertising: Native Ads, Content Marketing and the Covert World of the Digital Sell*. New York: OR Books.

Federal Communications Commission. (n.d.). *Broadcasting and Localism: FCC Consumer Facts*. Washington, DC: Federal Communications Commission. Accessed August 4, 2007 at www.fcc.gov/localism/Localism_Fact_Sheet.pdf.

Gutiérrez, Fernando, and Ocampo, Alejandro (2019). "Latin America: From Media Censorship to Media Ownership." In Suman Mishra and Rebecca Kern-Stone (Eds.), *Transnational Media: Concepts and Cases* (pp. 97–106). Hoboken, NJ: Wiley-Blackwell.

Hardy, Jonathan (2010). *Cross-Media Promotion*. New York: Peter Lang.

Hardy, Jonathan (2014). *Critical Political Economy of the Media: An Introduction*. New York: Routledge.

Hayes, Dade (2017). "Disney-Fox Deal: How It Ranks among Biggest All-Time Media Mergers." *Deadline*. Accessed July 15, 2019 at https://deadline.com/2017/12/biggest-media-mergers-disney-fox-deal-list-1202226683/

Hesmondhalgh, David (2019). *The Cultural Industries*, 4th ed. Thousand Oaks, CA: Sage.

Higgins, Carey L., and Sussman, Gerald (2007). "Plugola: News for Profit, Entertainment, and Network Consolidation." In Timothy A. Gibson and Mark Douglas Lowes (Eds.), *Urban Communication: Production, Text, Context* (pp. 141–162). Lanham, MD: Rowman & Littlefield.

Horkheimer, Max, and Adorno, Theodor W. (2001). "The Culture Industry: Enlightenment as Mass Deception." In Douglas M. Kellner and Meenakshi Gigi Durham (Eds.), *Media and Cultural Studies: Key Works* (pp. 71–101). Malden, MA: Blackwell.

Johnson, Derek (2007). "Will the Real Wolverine Please Stand Up? Marvel's Mutation from Monthlies to Movies." In Ian Gordon, Mark Jancovich and Matthew. P. McAllister (Eds.), *Film and Comic Books* (pp. 64–85). Jacksonm, MS: University Press of Mississippi.

Jones,Tom(2019)."GateHouseMediaLaysOffJournalistsAcrosstheCountry."*Poynter*,May23.AccessedJuly 23, 2019 at www.poynter.org/reporting-editing/2019/a-major-round-of-layoffs-at-gatehouse-media/

Kunz, William M. (2007) *Culture Conglomerates: Consolidation in the Motion Picture and Television Industries*. Lanham, Maryland: Rowman and Littlefield.

Lee, Na Yeon, Baek, Kanghui, Pae, Jung Kun, Jeong, Sun Ho, and Jung, Nahwon (2018). "Self-coverage for Public Interest or Self-promotion: How Media Cross-ownership Structures Affect News Content in South Korea." *Journalism*. doi:10.1177/1464884918763503

Mayer, Jane (2019). "The Making of the Fox News White House." *The New Yorker*, March 4. Accessed July 12, 2019 at www.newyorker.com/magazine/2019/03/11/the-making-of-the-fox-news-white-house

McAllister, Matthew P. (2000). "From Flick to Flack: The Increased Emphasis on Marketing by Media Entertainment Corporations." In Robin Andersen and Lance A. Strate (Eds.), *Critical Studies in Media Commercialism* (pp. 101–122). New York: Oxford University Press.

McAllister, Matthew P. (2002). "Television News Plugola and the Last Episode of *Seinfeld*." *Journal of Communication*, 52(2), 383–401.

McAllister, Matthew P., and MacAuley, Brian (Forthcoming). "Comics Industries." In Bart Beaty and Charles Hatfield (Eds.), *Comics Studies: A Guidebook*. New Brunswick, NJ: Rutgers University Press.

McAllister, Matthew P., and Stoltzfus-Brown, Lars (2019). "Understanding Corrosive Elements in the Political Economy of Media." In Edward Downs (Ed.), *The Dark Side of Media and Technology: A 21st Century Guide to Media and Technological Literacy* (pp. 49–60). New York: Peter Lang.

McChesney, Robert W. (2004). *The Problem of the Media: U.S. Communication Politics in the 21st Century*. New York: Monthly Review Press.

McChesney, Robert W. (2015). *Rich Media, Poor Democracy: Communication Politics in Dubious Times*. New York: The New Press.

McClintock, Pamela (2014). "$200 Million and Rising: Hollywood Struggles with Soaring Marketing Costs." *Hollywood Reporter*, July 31. Accessed July 14, 2019 at www.hollywoodreporter.com/news/200-million-rising-hollywood-struggles-721818

McNutt, Miles (2018). "A Spoonful of Sitcom Synergy: 25 Years of the 'Disney Episode'." *AV Club*, April 17. Accessed July 12, 2019 at www.avclub.com/a-spoonful-of-sitcom-synergy-25-years-of-the-disney-e-1824238867

Meehan, Eileen R. (1991). "'Holy Commodity Fetish, Batman!': The Political Economy of a Commercial Intertext." In Roberta E. Pearson and William Uricchio (Eds.), *The Many Lives of the Batman: Critical Approaches to a Superhero and His Media* (pp. 47–65). New York: Routledge.

Meehan, Eileen R. (2005). *Why TV Is Not Our Fault: Television Programming, Viewers, and Who's Really in Charge*. Lanham, MD: Rowman & Littlefield.

Mosco, Vincent (2018). "A Critical Perspective on the Post-Internet World." *Javnost –The Public*, 25(1–2), 210–217. doi:10.1080/13183222.2018.1418976.

Napoli, Phillip M. (2001). *Foundations of Communications Policy: Principles and Process in the Regulation of Electronic Media*. Cresskill, NJ: Hampton Press.

Napoli, Phillip M., and Gillis, Nancy. (2006). "Reassessing the Potential Contribution of Communications Research to Communications Policy: The Case of Media Ownership." *Journal of Broadcasting and Electronic Media*, 50(4), 671–691.

Panis, Koen, Van den Bulck, Hilde, Verschraegen, Birte, van der Burg, Miriam, and Paulussen, Steve (2015). "Does Media Cross-Ownership Translate into Cross-Promotion?" *Journalism Studies*, 16(6), 868–886. doi:10.1080/1461670X.2014.953780.

Poggi, Jeanine (2019). "Google-Facebook Duopoly Set to Lose Some of its Share of Ad Spend." *Advertising Age*, February 20. Accessed July 14, 2019 at https://adage.com/article/digital/duopoly-loses-share-ad-spend/316692.

Proffitt, Jennifer M. (2007a). "Challenges to Democratic Discourse: Media Concentration and the Marginalization of Dissent." *Review of Education, Pedagogy, and Cultural Studies*, 29(1), 65–84.

Proffitt, Jennifer M. (2007b). "Juggling Justifications: Modifications to the National Television Station Ownership Rule." *Journal of Broadcasting & Electronic Media*, 51(4), 575–595.

Proffitt, Jennifer M. (2019). "Solidarity in the Newsroom? Media Concentration and Union Organizing: A Case Study from the Sunshine State." *Journalism*. doi:10.1177/1464884919860030

Proffitt, Jennifer M., Tchoi, Djung Y., and McAllister, Matthew P. (2007). "Plugging Back into *The Matrix*: The Intertextual Flow of Corporate Media Commodities." *Journal of Communication Inquiry*, 31(3), 239–254.

Proffitt, Jennifer M., and Tewksbury, Doug (Eds.). (2012). *Global Media Journal*, 12(20) [special issue on "The State of Media Conglomeration: Synergy, Power, Resistance"].

Ramey, Carl R. (2007). *Mass Media Unleashed: How Washington Policymakers Shortchanged the American Public*. Lanham, MD: Rowman & Littlefield.

Sandler, Kevin S. (2003). "Synergy Nirvana: Brand Equity, Television Animation, and Cartoon Network." In Carol A. Stabile and Mark Harrison (Eds.), *Prime Time Animation: Television Animation and American Culture* (pp. 89–109). New York: Routledge.

Schiller, Herbert I. (1989). *Culture Inc: The Corporate Takeover of Public Expression*. New York: Oxford University Press.

Terrill, Robert E. (2000). "Spectacular Repression: Sanitizing the Batman." *Critical Studies in Media Communication*, *17*(4), 493–509.

Thomas, Pradip N., and Nain, Zaharom (2004). *Who Owns the Media? Global Trends and Local Resistances*. New York: Zed Books.

Turow, Joseph (1994). "Hidden Conflicts and Journalistic Norms: The Case of Self-Coverage." *Journal of Communication*, 44(2), 29–46.

Valcke, Peggy, Sükösd, Miklós, and Picard, Robert G. (2015). *Media Pluralism and Diversity: Concepts, Risks and Global Trends*. Hampshire, UK: Palgrave Macmillan.

Van Fuqua, Joy (2003). "'What Are Those Little Girls Made of?' The Powerpuff Girls and Consumer Culture." In Carol A. Stabile and Mark Harrison (Eds.), *Prime Time Animation: Television Animation and American Culture* (pp. 205–219). New York: Routledge.

Vavrus, Mary (2007). "The Politics of NASCAR Dads: Branded Media Paternity." *Critical Studies in Media Communication*, 24(3), 245–261.

Waetjen, Jarrod, and Gibson, Timothy A. (2007). "Harry Potter and the Commodity Fetish: Activating Corporate Readings in the Journey from Text to Commercial Intertext." *Communication and Critical/Cultural Studies*, 4(1), 3–26.

Wasko, Janet (2001). *Understanding Disney: The Manufacture of Fantasy*. Boston, MA: Polity Press.

Wasko, Janet (2003). *How Hollywood Works*. Thousand Oaks, CA: Sage.

Weber, Max (1976). "Towards a Sociology of the Press." *Journal of Communication*, 26(3), 96–101.

Winseck, Dwayne (2019, January 6). *Media and Internet Concentration in Canada 1984 – 2017. Canadian Media Concentration Research Project (CMCRP)*. doi:10.22215/cmcrp/2018.2.

32

The Media in Evil Circumstances

Robert S. Fortner

Although the question of what constitutes "evil" has engaged philosophers for more than 2000 years, the issue of how media should behave, or what their role is, in circumstances that we might all agree are evil, is much more recent. Arguably the concern is less than 75 years old, arising initially when the Nazis came to power in Germany and began to use propaganda to prepare the population for war and the Holocaust. Some might argue that the concern should be extended backward further, perhaps to the war-mongering of William Randolph Hearst near the end of the nineteenth century, or the exposés of the muckrakers in the early twentieth century. Others might suggest the use of photography by Jacob Riis as a medium to expose the depredations of New York's slums or even Matthew Brady's photography of the carnage of the American Civil War. But the most sustained scholarly concern with the role of media in circumstances where people have been slaughtered—whether by serial killers, rapist-murderers, terrorists, or rebel movements, in wars or through state-sponsored genocide and ethnic cleansing—has occurred since the end of the Second World War, and especially in the last three decades.

Scholars have taken several positions on how the media have operated in evil circumstances. By far the most scholarship has been directed to analysis of the role of media in war—and, more recently, how domestic media have been used or have eagerly participated in the justification for going to war, or how media have become tools of warring powers through propaganda and "public diplomacy." Some research has concentrated, too, on how the media have been mobilized by totalitarian or absolutist regimes to justify their policies and how they have propagandized their own people through media use. This has occurred sometimes by state control of the media themselves, or through strictly enforced censorship, or direct or implied threats for non-compliance with state directives. At other times it has been the result of the media's voluntary compliance, or endorsement, of the state's policies. Still other scholars have been more concerned with how independent media have reported about violence, whether individual or collective in nature. Still others have concentrated on specific aspects of the media–evil nexus, such as the manipulation of media by terrorists, or the clash of ideals in covering violence of various kinds.

Most recently the issue of evil has itself become contested. Most of the examples in this essay deal with largely uncontested evils, but in the second decade of the twenty-first century, this has not been the case. The issue of immigration became a question, among others, of evil, especially in Europe and the United States, although not for the first time. In the nineteenth century,

for instance, both the U.S. and Canada defined immigration from China as an "evil" (see Munro, 1971, pp. 42–51).

This essay will examine some of the most significant scholarship on the relationship between media and evil—or how the media have functioned in evil circumstances—as participants, dupes, signalers, critics, legitimizers, or sensationalists of evil. Then it will provide a perspective on media in evil circumstances that is still to be fully explored.

Kevin G. Barnhurst (1991, p. 75) argues that authorities who study terrorism and the media take one of two perspectives. The first perspective is that "the media play an essential role [in terrorism] and that news coverage spreads terrorism like a disease." The second is that "the media are victims of terrorists," responding initially to violence and then reducing coverage as it becomes routine. The first of these perspectives suggests that the media are either participants in evil itself or merely signalers of evil, while the second sees the media as dupes or sensationalists—even when they are critics. Each of these perspectives requires some elaboration.

MEDIA AS PARTICIPANTS IN EVIL

Media can be forced into participation in evil using a variety of methods, or they can voluntarily participate. In Rwanda, for instance, members of the Hutu elite invested in the creation of radio station RTML and it, in turn, incited the genocide. "Do not kill these inyenzi (cockroaches) with a bullet, cut them to pieces with a machete," broadcaster Valerie Bemerki counseled her listeners (Mirzoeff, 2004). And listeners also heard Simon Birkindi's song, "I Hate These Hutus," "a long delineation of all the different Hutu who were held to be insufficiently loyal" (Gourevitch, 1998, p. 100). Although some Rwandans, especially in the northern half of the country, could hear the Rwandan Patriotic Front station, Radio Muhabura,

> it did little to contribute to the free flow of information. Instead, as its name suggests, Radio Muhabura [Leading the Way] continued the culture of propaganda and counter-propaganda, providing little concrete information about events and spending a lot of air time presenting and promoting the RPF to the Rwandan population.
>
> (Article 19, 1996, pp. 23–24)

Kellow and Steeves (1998) also reported, based on Reporters Sans Frontières' documents, that newspapers in Burundi were operating similarly, fanning the flames of hatred there just as RTML was doing in Rwanda. In Ivory Coast in 2002 the media were owned by political leaders who used them to spread hate messages targeting different political parties, ethnic groups and religions (Alexis and Mpambara, 2003, p. 3). (These efforts were paltry, however, compared to the total use of media by the Nazi regime in the 1930s and 40s; see Gupta, 2001, p. 123). And the Serbs used similar means, with Warren Zimmermann, the American Ambassador to Yugoslavia saying, "It was TV that promoted the hatreds. It gave people myths and called them history" (quoted by Gupta, 2001, p. 123).

> Accounts of the wars in the Balkans and the Rwandan Genocide which reject the 'ancient hatreds' interpretation have emphasized the role played by the media in creating killers from one-time neighbours who had managed to co-exist peaceably for lengthy periods, if not perpetually,

Susan L. Carruthers wrote (2000, p. 46). In Yugoslavia, the main agent of the "alien virus" was Srpski Radio Knin, "a Serb-run radio station pouring out anti-Croat propaganda" and Serbian Radio-Television. "As one Sarajevo-based journalist put it, "Every person killed in this

war was first killed in the newsrooms" (Carruthers, 2000, p. 47). Gupta likewise discusses the use of media by the Pol Pot regime in Cambodia and the Habyarimana regime in Rwanda (2001, p. 159). As Mark Frohardt and Jonathan Temin put it (2003, p. 2), "media can be extremely powerful tools used to promote violence…." And, as Dusan Reljic concludes about Europe: "the media plays a significant part in whipping up nationalist feelings of xenophobia, racism or ethnic chauvinism," even when conflict is not imminent. They do so by reinforcing "existing differences and thus accelerat[ing] a disintegrating effect on the homogeneity of the population" (n.d., p. 2).

On a more voluntary level was the "collaboration" of the American press with the Bush administration in conceptualizing and justifying the war to force Saddam Hussein from Kuwait (Kelman, 1995, p. 121). And, in another variant, Eytan Gilboa (2000, p. 295) wrote that "sometimes during severe international crises, the media provide the only channel for communication and negotiation between rival actors…. Officials more frequently use global television rather than traditional diplomatic channels to deliver messages." Gilboa cites instances of the Iran hostage crisis, the 1985 hijacking of a TWA jet to Beirut, the 1990–1991 Gulf conflict, and a 1998 communiqué of conciliation from Iranian President Khatami as examples of state use of media to deliver messages during crises (see also O'Heffernan, 2001, p. 3 on TV's "global crisis communication role"). Finally, Lee Artz (2004, p. 80), calls the photographs and drawings run by the *New York Times* during the second Iraq war "perhaps the most revealing instances of media's complicity with U.S. propaganda…" (see also Solomon, 2004, p. 57).

MEDIA AS DUPES IN EVIL CIRCUMSTANCE

Media become the dupes of evil when they, as a result of their own commitments or principles, unwittingly become tools of evil. Terry Anderson, a journalist who was held captive by terrorists in Lebanon for over five years put it this way (1993, p. 129): "In my opinion, the very reporting of a political kidnapping, an assassination or a deadly bombing is a first victory for the terrorist. Without the world's attention, these acts of viciousness are pointless." Anderson goes on to argue that even when the media run long analyses about terrorist organizations, they legitimize them. Susan Carruthers (2000) has argued that the media have become more willing accomplices in wartime propaganda, but Danny Schechter (2004, pp. 30–31) outlines a variety of techniques used by U.S. administrations to "seduce and co-opt" the media.

MEDIA AS SIGNALERS OF EVIL

Media sometimes are the first to indicate that evil is about to break out, or they signal the beginning of a campaign of evil. Often, such as the cases in Rwanda, Yugoslavia, and Georgia, this signaling actually occurred via obfuscation. The media in these societies "signaled" "imminent" threats against the majority populations of Hutus, Georgians, and Serbs, "though there was only flimsy evidence provided to support them," and thus constructed fear and the "foundation for taking violent action through 'self-defense'" (Frohardt and Temin, 2003, p. 6). An analysis by Piers Robinson of the role of news media in provoking humanitarian interventions (2000, p. 8), suggested that media coverage of humanitarian crises did "trigger the use of air power but not the deployment of troops" in Bosnia, and that in other cases, including Somalia and Kosovo, claims made that the news media are influential in driving foreign policy are "not without substance." And Morand Fachot (2001, p. 53) argues that

> An indisputable consequence of the 'CNN effect' is the shortening of the news cycle, which forces politicians and the military to react swiftly to events, often in the absence of an appropriate context or background: they now have to operate in a round-the-clock, real-time, global news environment.

As former U.S. Secretary of State James Baker III wrote in 1995, "In Iraq, Bosnia, Somalia, Rwanda, and Chechnya, among others, the real-time coverage of conflict by the electronic media has served to create a powerful new imperative for prompt action that was not present in less frenetic [times]" (quoted in Gilboa, 2005, p. 28; see also Albright, 2001, p. 105).

MEDIA AS CRITICS OF EVIL

Media can sometimes bring pressure to bear in evil circumstances by rallying world opinion to occurrences of evil or encouraging condemnation by nation-states. Unfortunately, there has been little scholarly attention to this potential aspect of media behavior, largely because the media have become increasingly reactive in reportage as a result of reducing their foreign bureaus and depending more on stringers who are paid to report "events" rather than to signal possibilities or to bring moral probity to the instances of evil that they witness. Some individual reporters, such as Thomas Friedman for the *New York Times*, have responsibly criticized evil, but most such criticism evaporated with the collapse of the Soviet Union as "evil empire." President Bush's characterization of Iraq, Iran, and North Korea as an "axis of evil" never really caught on with the media beyond its panache as a catch-phrase, and reporting of conflicts between the U. S. and each of these three societies has been treated within traditional categories of political gamesmanship rather than as a confrontation with "evil." The same is true of President Trump's characterizations of the regimes in Iran, Venezuela and North Korea: it's all jockeying for position to gain the upper hand.

The criticism that does emerge, too, does not always follow the same pattern. For instance, after the attacks on the World Trade Center and the Pentagon in 2001, Michael Wolff wrote that the U.S. media's response was one of what he called "notionlessness." "A retreat, over a period of years, from consistent, in-depth coverage of world affairs left journalists, readers and audiences to identify the villain as some pure spasm of all-powerful, far-reaching apocalyptic irrationality" (quoted by Lynch, 2002, p. 10).

It has not been controversial for the media to refer to other world situations as evil. Hannah Ellis-Petersen reported for *The Guardian* in 2018 that a senior minister in the Bangladeshi government had referred to the Myanmar government as evil; the *Boston Herald* published an editorial in 2017 on "The evil in Bangladesh." The Associated Press carried a story in 2018 referring to Philippine President Rodrigo Duterte as an "evil psychopath," while Adele Webb (2016) asked in an opinion piece for the Australian Broadcasting Corporation whether Duterte (the "Trump of the Philippines") was a "force for good or evil."

A variation on the role of critic is that of contester of the definition of evil itself. U.S. President Trump has referred to those seeking entry to the country via its southern border with Mexico, both asylum seekers and illegal border-crossers, as "animals," "rapists," "murderers" and "some" good people. His policies have resulted in separation of children from parents or guardians, confinement of children in what have been termed "cages," incarceration of both adults and children in overcrowded detention centers with inadequate supplies of food or access to water, clean clothing, and toilet facilities. Some children have reported sexual abuse at the hands of border agents. In an earlier age such characterizations and policies, and especially their results,

would have been referred to as evil. The Trump administration contests such constructions. Much of the reporting, however, has taken an adversarial tone toward the administration and much of the contest between media and the executive branch has been over definitions of acceptable and unacceptable situations, American vs. unAmerican policies. Whatever is unAmerican is by definition, evil. The framing of the debate is, according to George Lakoff, at the center of the immigration debate, with each form of linguistic framing constraining the nature of the debate that can be pursued by using "legitimate" terms (2006; see also Chomsky, 2018; Carlson and Quinn, 2018; Gupta, 2019; Navarrette, 2018).

There is precedent for this dispute. In 1912, in the decade when the United States had its greatest percentage of immigrants compared to the total population until the last few years, Jeremiah W. Jenks and W. Jett Lauck, both members of a presidential commission on immigration, wrote in their introduction (1912, p. 2):

> Immigration of foreigners into the United States has been long recognized as one of our important social and political problems. Perhaps no other question has aroused more bitter feelings at times, or has called out more lofty sentiments of altruistic purpose. On the one hand, our Government has been besought to protect our people from the 'degrading influence' of the immigrant. On the other, it has been declared that our doors should never be closed against those suffering from religious or political persecution.

A bit later (p. 7) the authors say that, of the chief questions raised by immigration, are "the moral characteristics of various races" and "the social evil and the white-slave traffic." Immigration is not a new issue in the United States. Whether it is evil to allow immigrants untrammeled access to the country, or evil to adopt measures to prevent them from doing so, however, is an ongoing contested issue (see also Busey, 1896).

MEDIA LEGITIMIZING EVIL

Chris Hedges (2003) writes that war

> dominates culture, distorts memory, corrupts language, and infects everything around it, even humor, which becomes preoccupied with the grim realities of smut and death. Fundamental questions about the meaning, or meaninglessness, of our place on the planet are laid bare when we watch those around us sink to the lowest depths. War exposes the capacity for evil that lurks not far below the surface within all of us.
>
> (p. 6)

And the media's role in providing access to alternative viewpoints about going to war in Iraq was, as John F. Stacks puts it (2003–2004, p. 20),

> abysmally thin. The full texture and shape of the internal government debate (and one assumes there was some debate) was not known to the public. Without knowing much about the stakes and reasons for the war, the public supported the president.

This is legitimation by omission. Similarly, when the Bush administration claimed that videos issued by Osama bin Laden might contain coded messages and called on American television networks not to air them unedited, the "networks took the request one step further and declined to air virtually any video of bin Laden" (Bamford, 2001, p. 20).

MEDIA AS SENSATIONALISTS

Media can, and sometimes do, exploit evil for their own purposes, principally to increase circulation or ratings. During the Gulf War, when the British press was actively debating what levels of carnage were appropriate to show to viewers, the *Sun* newspaper, which was an avid supporter of Prime Minister Tony Blair's policies, "opportunistically latched on" to

> extremely brief, and heavily pixellated, footage of the dead bodies of Staff Sergeant Simon Cullingworth and Sapper Luke Allsopp, who were killed in an ambush during the war, footage which the BBC, along with other UK broadcasters and the press, had refused to show at the time of its original release.… The *Sun* referred to the footage variously as an "atrocity", "sickening" and "beyond comprehension", although in fact the only thing that was truly sickening about this episode was the *Sun's* entirely cynical exploitation of the grief of the dead men's relatives for its proprietor's commercial ends.
>
> (Petley, 2003, p. 78)

Arguably the media's treatment of Syrian refugees' efforts to cross the Mediterranean for European sanctuary has also been sensationalized, with stories covering the deaths of children in refugee camps, although such stories were often based on reports from Human Rights Watch and the United Nations High Commissioner for Refugees. The photo published of a three-year-old refugee, which shocked Europeans, did result, however, in petitions to the government of the United Kingdom to accept more refugees (Worthington, 2015). Sometimes sensationalism has results. But a similar picture along the Rio Grande, of a father and his infant daughter dead along the bank, while it evoked outrage in some quarters of the United States, was easily ignored in others, the result of the fractious debate on immigration (see Thebault, Velarde, and Hauslohner, 2019; Gallón, 2019, and reports by many other news organizations).

ANALYZING THE ROLE OF MEDIA IN EVIL CIRCUMSTANCES

What all of this suggests is that the media have a variety of impacts, sometimes even contradictory impacts, within evil circumstances. While the media may signal atrocities, violence, and conflict through the so-called CNN effect, they can also easily be co-opted by adroit application of media relations strategies by governments, essentially becoming cheerleaders for policies that might, themselves, cause such circumstances. They can both dampen evil by exposing it to the world and heighten it by sensationalizing it. They can legitimize it by giving perpetrators the publicity they seek and, at the same time, horrify the world with the brutality of these perpetrators. These descriptive analyses of the role of media indicate both a complex set of roles, and a tendency toward irresponsibility seen through the lens of ethics.

It could be argued that the complexity of the media's response to evil circumstances is the result of their independence—and that this confirms the value of a free press. But there are two responses that must be made to such an assertion. First, the role of the press within domestic contexts to support the policies of their governments—however disreputable—casts significant doubt on their independence. This is true even within democracies with guarantees of a free press (such as the United States), and those with a long tradition of a free press (such as Canada and Great Britain). So it is questionable whether complexity is necessarily indicative of independence. Second is the ease with which governments are able to enlist, or co-opt, the press to do its bidding. Although the media complained bitterly in the aftermath of the first Gulf War that the military had exerted undue interference and control on their reporting (with the criticism being

"swift, high-powered, and damning;" Skoko &Woodger, 2000, p. 79), by the time of the second Gulf War the military had become even more adept at controlling the press. But the agreements that had been reached in 1992 between the press and the military (nine principles of combat coverage) were largely abandoned by the Bush administration's adoption of new rules for embedded journalists during Operation Iraqi Freedom. The result of the decision to "embed" reporters in Iraq resulted in very narrow "soda straw" views of the war as it progressed, made the reporters dependent on the military for protection in ways that the press had not experienced before, and made it difficult to report independently—both for policy reasons that reporters bought into (such as limitations on the use of electronic equipment and specific information that should not be reported) and for interpersonal reasons, since some reporters apparently participated in identifying targets and "passing ammunition" and thus became part of the military's mission, rather than just observers of it (see Artz, 2004, pp. 82–83; Bernhard, 2003, pp. 86–87; Calabrese, 2005, p. 157; Larson, 2004; Tehranian, 2004, pp. 238–239). Whatever the difficulties were, however, a RAND report on the experience concluded that, "Overall, there were far fewer press complaints during this war than seen in previous major conventional operations …" (Paul and Kim, 2004, p. 81). Once the push into Baghdad was complete, journalists abandoned their "embeds" in droves, dropping from an estimated 570 to 750 to "roughly 100" within six months, to under 50 in another six months, and to under 10 by October 2006. All of this was occurring, of course, while the "evil" of civilian deaths, insurgency and political gridlock gripped Iraq and American and allied forces absorbed more casualties than they had during the brief war itself. It appears to be a lack of realistic perspective on the part of the press (see Vaina, 2006; Al-Marashi, 2006, pp. 1–2).

The various behaviors of the press in evil circumstances, when examined independently, provide but thin descriptions. But when they are seen in their entirety, in their complexity, and in their contradictions, a thicker description is possible. This thicker description—whether the focus is on genocide, war, ethnic conflict, domestic or international media—suggests that the most accurate descriptor of their collective behavior is opportunism. By and large the media have been willing to abandon their independence and shelve their skepticism for short term gains—either to support or ingratiate themselves to the powerful, or to "get the story" for their audiences.

This need to "get the story" has only increased as the financial foundations of major media organizations have collapsed in the twenty-first century. Many news outlets have closed, thousands of journalists have lost their jobs, and investigative staffs have been eviscerated in many cities. Their replacement—a poor substitute: social media feeds. Social media feeds have not only replaced the attention paid to media, they have also become major sources of information in organizations that have cut back on their foreign sources. When events that are off the beaten path of journalists have erupted, such as protests in Tehran, major media outlets have depended on reports by civilians inside such countries to "get the story."

This is perhaps no surprise, as "getting the story" is what journalism is all about. But most journalists would agree that this goal should not be met by becoming too cozy with those in power. The Poynter Institute, for instance, calls for journalists to "hold the powerful accountable" (Steele, 2000), and many journalists objected to the term "embed" to describe their deployment with U.S. forces in Iraq for what it suggested. In cases where the media clearly supported genocidal policies (in the breakup of Yugoslavia and the subsequent military actions in Bosnia and Kosovo, in Rwanda and Burundi), of course, "getting the story" essentially meant toeing the party line, abandoning any pretense to independence.

What this attention to constructed media ecologies may raise as an issue is whether the actions of individual journalists have in any way ameliorated or exacerbated the actions of the media as an institution. Certainly there are instances in which reporters have adopted a stance that was not in accordance with the desires of their governments. Anne Garrels' reporting from

Baghdad during the second Gulf war, which often discovered that events were not as being reported by other U.S. media outlets or as the Bush administration or military spokespersons claimed, is a case in point (see Garrels, 2004). Anna Politkovskaya's reporting on the Chechen War (which apparently cost her her life) comes in this category, as does Willem Marx's exposé (2006) of the U.S. military's propaganda activities in Iraq.

Perhaps the most poignant and powerful treatments of the consequences of evil have come from feature-length films (*Hotel Rwanda, Sometimes in April, Osama, Turtles Can Fly, Blood Diamond, The Last King of Scotland, Lord of War,* for instance), documentaries such as those produced by Democracy Now or the Media Education Foundation criticizing media practices in response to evil, or accounts of the effects of evil on those who have been its victims (see Neuffer, 2002 on the conflicts in Bosnia and Rwanda; Mertus, Tesanovic, Metikos, and Roric, 1997 on Bosnia and Croatia; Gourevitch, 1998 on Rwanda; Seierstad, 2003 on Afghanistan; or Shadid, 2006 on Iraq). Although collectively these may suggest that significant attention has been given to evil by media practitioners, in reality, they are too little, too late. Most of these accounts are published after the consequences of evil have become apparent, even in the mainstream press, and together these treatments cover thirty years of history, thus providing but a glimpse into the consequences of evil.

REQUIREMENTS OF THE MEDIA IN EVIL CIRCUMSTANCES

The media cannot control the political, social, cultural, or military context within which they may be called to operate. Sometimes circumstances may call on the media to function outside their "comfort zone." Clearly in some cases there is little that can be done to demand a different standard of behavior. For instance, if the media are controlled by the state, dominant political parties, kinship, tribal identity-politics or military force, it is naïve to expect the press to function independently. In such cases, it is more likely that the media will become instruments of evil than signalers or critics. Even condemnation or successful prosecution of media owners for being part of a genocidal regime (as happened with two Hutus associated with RTML in Kigali) only occurs after the fact, so it has no immediate impact on the atrocities as they are taking place.

Nevertheless, there are standards to which the media should be held—even if only rhetorically. For instance, as Roy Peter Clark puts it (2006), "In politics, each term carries ideological meaning, even as it appears to the world in the sheep's clothing of impartiality." Clark refers in his essay to George Orwell's diatribe against the abuse of language. Orwell (1946) argued that "All issues are political issues, and politics itself is a mass of lies, evasions, folly, hatred, and schizophrenia. When the general atmosphere is bad, language must suffer." This, of course, is a conclusion that it behooves all journalists to recognize. Orwell goes on to explain his objections to toeing the party line.

> Orthodoxy, of whatever colour, seems to demand a lifeless, imitative style.… When one watches some tired hack on the platform mechanically repeating the familiar phrases—*bestial, atrocities, iron heel, bloodstained tyranny, free peoples of the world, stand shoulder to shoulder*—one often has a curious feeling that one is not watching a live human being but some kind of dummy: a feeling which suddenly becomes stronger at moments when the light catches the speaker's spectacles and turns them into blank discs which seem to have no eyes behind them. And this is not altogether fanciful. A speaker who uses that kind of phraseology has gone some distance toward turning himself into a machine. The appropriate noises are coming out of his larynx, but his brain is not involved, as it would be if he were choosing his words for himself. If the speech he is making is

one that he is accustomed to make over and over again, he may be almost unconscious of what he is saying, as one is when one utters the responses in church. And this reduced state of consciousness, if not indispensable, is at any rate favourable to political conformity.

<div align="right">(Orwell, 1946)</div>

In our time, wrote George Orwell after World War II,

political speech and writing are largely the defence of the indefensible. Things like the continuance of British rule in India, the Russian purges and deportations, the dropping of the atom bombs on Japan, can indeed be defended, but only by arguments which are too brutal for most people to face, and which do not square with the professed aims of the political parties.

Thus political language has to consist largely of euphemism, question-begging and sheer cloudy vagueness. As Orwell argued,

Defenceless villages are bombarded from the air, the inhabitants driven out into the countryside, the cattle machine-gunned, the huts set on fire with incendiary bullets: this is called *pacification*. Millions of peasants are robbed of their farms and sent trudging along the roads with no more than they can carry: this is called *transfer of population* or *rectification of frontiers*. People are imprisoned for years without trial, or shot in the back of the neck or sent to die of scurvy in Arctic lumber camps: this is called *elimination of unreliable elements*. Such phraseology is needed if one wants to name things without calling up mental pictures of them.

<div align="right">(Orwell, 1946)</div>

Clark's (2006) example, picking up on Orwell's argument, is that,

Today, the debate is framed by simple phrases, repeated so often to stay "on message," that they turn into slogans, another substitute for critical thinking. So one side wants to "stay the course" without settling for the "status quo," and condemns political opponents who want to "cut and run." It is one job of the journalist to avoid the trap of repeating catch phrases, such as "the war on terror," disguised as arguments, and to help the public navigate the great distances between "stay the course" and "cut and run." Surely, they are not the only options.

And Karim H. Karim argues that

even though the events of September 11, 2001 were extraordinary, their reporting was routinely placed within the cultural frames that have long been in place to cover violence, terrorism, and Islam. The focus was on the immediate reaction rather than the broader causes of the attacks or the existence of structural violence in global society. As the hunt began for the "Islamic terrorists," the media failed to provide a nuanced and contextual understanding of Muslims or the nature of the "Islamic peril." Journalists generally echoed the Bush administration's polarized narrative frame of good versus evil.

<div align="right">(cited by Zelizer and Allan, 2003)</div>

"By reporting, however neutral they try to be" Eknes and Endresen say (1999, p. 11): journalists take on a role that makes them distinct from passive observers of an event or situation. By putting some stories on the front page and ignoring others, journalists and media influence the setting of agendas and thereby the evolution of conflicts or political processes. When conflicts loom, the political discourse becomes conflict-oriented, as do local media.

In other words, for journalists to provide an "objective" account of evil, it is necessary that they be circumspect in their choice of language. They cannot allow those in power—elites,

politicians, propagandists, spin doctors, military authorities, and so on—to determine the nature of their stories by providing the vocabulary they should use to write those stories. They should be skeptical of words that are condemnatory, or absolutist, or obscure, because such words hide more than they reveal. Neither should they hide behind the notion of "objectivity" by quoting those who use such language without pointing out its demonizing, dehumanizing, obfuscating, or absolutist qualities. These qualities stifle debate, suggest the existence of an irreconcilable antipodal condition that is unlikely to represent the true conditions of a conflict, and obscure the common humanity of the participants.

The American media in mid-2019 were caught in a maelstrom that resulted in within-industry criticism for failing to call President Trump's "racist tweets" what they were: naked racism. He had tweeted that "the squad," as they came to be called (four minority female House Represent-atives who had made what he and his supporters considered radical proposals) should go back where they came from, although three of the four had been born in the United States. Since that language (go back where you came from) was a long-used trope in white supremacist rhetoric, it resulted in various news organizations referring to Trump's comments as racially tinged, racially loaded, racially charged, but not racist, per se. The *Washington Post* reported (Farhi, 2019) that, "News organizations wrestled with that question [of characterization] … after Trump tweeted a series of statements aimed at four members of Congress, all women of color." But Keith Woods (2019) wrote an opinion for NPR, after criticism emerged about the use of the word "racist" by Trump's supporters or those offended by the moniker, that "the president of the United States has used the sniper tower of Twitter to take aim at immigration, race relations and common decency." But much of the media's reporting equivocated when faced with the tweets. They blinked.

> I understand the moral outrage behind wanting to slap this particular label on this particular pres-ident and his many incendiary instances… . It is precisely because journalism is given to warm-spit phrases like 'racially insensitive' and 'racially charged' that we should not be in the business of moral labelling in the first place. Who decides where the line is that the president crossed?

After quoting the tweets, he then concluded: Trump's

> words mirror those of avowed racists and xenophobes that date back to the birth of this country. Was that a moral judgment, my last sentence? I would argue no. I'd call it context, and it doesn't require my opinion, just a basic understanding of history.

None of these are acceptable for journalists who are seeking the truth of a matter, or who are attempting to put the day's events in a context that gives them meaning. Once the meaning of words is left to those with policies to pursue, strategies to execute, or evil to consummate, the press has lost its independence and its ability to tell an accurate story. Related to this issue of language use is that of mythic framing (or archetypal framing) of stories (see Lynch, 2001). The outbreak of violence against the "other" is often preceded by characterizing a dispute in some mythic frame: "axis of evil," "greater Serbia," the "hamitic hypotheses" (Rwanda), "betrayal" (Cambodia), the "Jewish conspiracy" (the Third Reich), and so forth. In Yugoslavia, for instance,

> Well before any fighting began in Bosnia, Croatian television, like Serbian, was airing nationalist broadcasts discussing how the Serbs intended to exterminate the Croat population in order to form a 'Greater Serbia.' These incendiary programmes suggested to Croats that they were in mortal danger from the Serbs and that they should arm themselves before it was too late .

(Price, 2000, p. 5)

Melone, Terzis, and Beleli (2002) conclude:

Instead of reflecting pluralism in the social and political structures and thereby contributing to the creation of an informed critical citizenry within a country, the media often act as a mouthpiece for ethnic power circles. Thus a deliberate distortion of news coverage for particular interests easily exacerbates the tension between opposed factions and becomes a main trigger of violent conflict .

(p. 1)

It is not merely ethnic power circles. In the United States, the Fox News channel is widely seen as a mouthpiece of the Trump administration. Although he has criticized this network on a few occasions, Trump has clearly identified other outlets, notably *The New York Times*, The *Washington Post*, and CNN as "fake" news outlets, although there is little evidence that they have targeted the president or any of his administration for negative coverage. Trump thinks that any negative coverage of him or his policies is fake, while he reportedly uses Fox News personalities as advisers and sounding boards for this decisions. Alex Shephard (2017) even claimed that Trump was treating Fox News as if it were a state television channel. Jane Mayer (2019) asked whether Fox News had become propaganda due to its relationship with the Trump White House. The relationship soured, however, and by 2019 Trump claimed that watching Fox News was "worse than watching low ratings Fake News CNN" (Rozsa, 2019).

Since conflict, by definition, pits one against the "other," people are asked to identify with one or another side. And since putting an historical or mythic spin on events has appeal to people who wish to think of themselves not as perpetrators of evil, but as victims of it, such myths, or the archetypes of victimhood (such as the Jews to whom the Serbs compared themselves as victims), have tremendous power in mobilizing support for murderous regimes. In Yugoslavia both Serbs and Croats used a "covenantal cycle" teleology as the core of their nationalism. This allowed the use of images suggesting "the constant battle between good and evil throughout history—the 'chosen' nation versus its many enemies" (MacDonald, 2002, p. 5). In the portrayals used by Croats, Serbs were "an evil, expansionary, annihilitary other, seeking first to invade, then to enslave, and then to exterminate the Croat people. … Other important myths include the *Antemurale Christianitatis*, the belief that Croatia represented the easternmost outpost of European civilisation" (p. 8). But Serbs, too, were dependent on the same teleology as the basis of their myths to undergird nationalist aspirations (MacDonald, 2002, pp. 15–16).

These conflicts are then what are referred to as "identity conflicts" in which "the mobilisation of people in identity groups [is] based on race, religion, culture, language, and so on" (Hieber, 2001, p. 10). In such conflicts it is crucial that parties, histories, religions, ethnic demographics, and traditions be treated both respectfully and equally. Otherwise, by using the framing adopted by one or the other of the conflicting groups, the media unwittingly becomes both a legitimizing force and an unwitting participant in whatever follows. Although adopting an independent frame and discussing conflict in neutral language will not necessarily prevent conflict, it will both maintain the credibility of the media and prevent media incitement of violence.

Not all journalists will agree with this stance, of course. The Institute of War and Peace Reporting, for instance, contrasts the "beaten track of objectivity" with the "polemical and the partisan." It highlights the debate between those who remain "clinically neutral" with those who practice a "journalism of attachment" (Davis, 2001, p. 7). But this is a mischaracterization of the issue. The conflict is not between neutrality and attachment. It is between true neutrality, socially-constructed "neutrality," and attachment. What IWPR discusses is the latter two aspects of this issue. A socially-constructed neutrality is one that reports conflict on the basis of the language, images, and socially-constructed or resurrected myths and archetypes of identity politics

as defined by the conflicting parties. This must be contrasted with a true neutrality that seeks the truth without resorting to such demonizing language and images, and mythic constructs provided to the media by those in conflict. This is a truer or purer form of neutrality than can be achieved using pre-constructed ideas.

Is this naïve? Perhaps. But it is in accord with a recognition that the "construction of 'otherness' plays a key role in the formation and transformation of political boundaries constructed in terms of moral superiority/inferiority as well as in the conflict generated by such formation and transformation" (Wilmer, 1998). If journalists use the terminology and concepts of either of the warring factions in reporting the events occurring within the context of conflict, it contributes to the construction of "otherness," becomes entangled in the moral boundaries being constructed, and not only compromises its neutrality but helps concretize the boundaries that make atrocity possible. Refusing to participate in such boundary construction by careful choice of words, images, and archetypes of understanding makes neutrality real and avoids passive participation in morally reprehensible acts. It is to recognize that "It is the social actors who use the conceptual systems of their culture and the linguistic and other representational systems to construct meaning, to make the world meaningful, to communicate about the world meaningfully to others" (Michel Foucault, quoted by Reich, 2003, p. 11; see also Murray and Cowden, 1999).

Such expectations, of course, although they might apply to media that have thrown in with political factions that engage in evil, are unlikely to have much traction in a more general context. So much of the abuse people suffer at the hands of the media is unlikely to be solved by such reportorial tactics. But using such tactics will at least reduce the involvement of the external press in such evil. As Loretta Hieber puts it (1998), traditional journalism that "seeks to report conflicts for a general audience in a manner aimed at promoting peace rather than inflaming existing tensions" is one means of media intervention.

Such changes in practice are no small matter. Robert Karl Manoff (1998) argues that the scale of human slaughter in the twentieth century was "something new in human history." Whereas a "mere 19 million people died in the 211 major conflicts of the Nineteenth Century" and only seven million in the eighteenth, the twentieth century saw 110 million people killed in 250 significant armed conflicts, with

> many times that number wounded, crippled, and mutilated.…. Mass violence on a previously unimaginable scale has become universalized, industrialized, and routinized. By now there are 233 politically active communal groups in 93 countries, representing fully one-sixth of humanity, at present engaged in political or military struggles from which more than 20 million refugees are currently in flight.

The industrialization of mass violence began with the Third Reich (Bauman, 1989), and has continued with the increasing distribution and use of cheap weaponry—from Kalashnikovs to machetes, tanks to heavy machine guns, helicopter gunships to "smart bombs" and "bunker busters." And if Benjamin Barber (1995) and Thomas Friedman (1999) are correct in their assessment of the oppositional tendencies of the current age—where grasping for modernity goes hand in hand with tribalism—then the likelihood that such conflicts will diminish over time seems dim indeed.

Such tribal identities and the hatred that often accompanies them suggest that the media must see both parties (or all parties in multi-party conflict) as the "other," and not use definitions of the "other" as supplied by any of the conflicting parties themselves. There is some foundational justification for such a perspective. Most of the world's major religions, for instance, do have expectations that those defined as the "other" will not be subject to degradation or violence. But, at the

same time, while any of them might serve as a foundation for journalists to justify refusal to accept characterizations that are the result of military or political expediency, or even to protect people so identified as enemies, several of these religious traditions have been compromised by world conflicts. Different factions are fighting for the soul of Islam as those with more moderate views—the majority of Muslims by all accounts—find their faith debased by those who equate it with terrorism, or ridiculed by those with more radical leanings. Judaism, both as historical "enemy" of Arabs in its Zionist form and as aggressor in the guise of Israeli anti-terror policies, is currently a frail reed to support the weight of the media. And Christianity, too, has seen its moral authority weakened in conflict situations by the willingness of those who share a faith to slaughter one another (Protestants vs. Catholics in Northern Ireland, Orthodox vs. Catholic in Croatia, Catholics and Adventists indicted for crimes against humanity in Rwanda) and by controversies apparently inadvertently initiated by Pope Benedict. So while the foundation for an independent ethical stance for the media may be present in these traditions, all find their moral authority weakened by circumstances.

In the U.S. the tight connection between Donald Trump and the right-wing evangelical community has strained the traditional separation of church and state. Progressive Christians did little to respond to claims that Trump was "God's man" until mid-2019, when a movement began to attempt to counteract the corrosive effect of this Trump-evangelical connection on younger people, who were staying away from churches in droves. There has been little movement in Trump's support since then, with Trump's approval rating actually improving among both conservatives and evangelicals in the aftermath of his racist treats.

The dominance of the Western media is being challenged as never before around the world. New satellite channels, new independent media outlets, new applications on the Internet (including blogs, vlogs, Youtube, Google video) and citizen journalism via cell phone, have all developed using different understandings of the role of communication media in conflict situations. The uploading of bomb damage from Israeli warplanes in Beirut via cell phone cameras and the internet to Google Earth so that the world could see the results within hours of the nighttime raids challenges the notion of "big media" as gatekeepers, as those who construct the meaning for the world's peoples, and contribute to the global understanding of history. But the Western media are still the *sine qua non* of ethics in the world of media—whether deserved or not. In the long run, this is the truly significant aspect of practice that media professionals should cherish. As Fred H. Cate puts it (1996, p. 19), "the power of public communications … poses important issues about the capacity of such communications to misinform, distort, and misfocus attention." This is where the Western media must concentrate its attention—on preventing such results. But it is also easy to lose this quality to other media systems, especially if all that characterizes Western media is increasing attention to sensationalism, decreasing attention to investigation, and continuing use of the words, images, myths, archetypes and socially-constructed frames of understanding that are promoted by groups perpetrating evil—whether those are domestic or foreign.

REFERENCES

Albright, Madeleine K. (2001). ""Around-the-Clock News Cycle a Double-Edged Sword." Interviewed by Nicholas Kralev." *Press/Politics*, 6(1), 105–108.

Alexis, Monique, and Mpambara, Ines (2002, March). *IMS Assessment Mission: The Rwanda Media Experience from the Genocide*. Copenhagen: International Media Support.

Al-Marashi, Ibrahim (2006). "The Dynamics of Iraq's Media: Ethno-Sectarian Violence, Political Islam, Public Advocacy, and Globalization." www.policy.hu/almarashi/policypaperdecember2006.html. Accessed January 11, 2007.

Anderson, Terry (1993). "Terrorism and Censorship: The Media in Chains." *Journal of International Affairs*, 47(1), 127–136.

Article 19. (1996). "Broadcasting Genocide: Censorship, Propaganda & State-Sponsored Violence in Rwanda 1990–1994."

Artz, Lee (2004). "War as Promotional 'Photo Op': The *New York Times*'s Visual Coverage of the U. S. Invasion of Iraq." In Yahya R. Kamalipour and Nancy Snow (Eds.), *War, Media, and Propaganda: A Global Perspective* (pp. 79–92). Lanham, MD: Rowman and Littlefield.

Associated Press (2018, June 26). "Rodrigo Duterte Branded an 'Evil Psychopath' After Calling God a 'Stupid Son of a B***h'. www.scmp.com/news/asia/southeast-asia/article/2152425/rodrigo-duterte-branded-evil-psychopath-after-calling-god. Accessed July 17, 2019.

Bamford, James. (2001). "Is the Press Up to the Task of Reporting These Stories?." *Nieman Reports*, Winter. 19–22.

Barber, Benjamin R. (1995). *Jihad vs. McWorld*. New York: Random House.

Barnhurst, Kevin G. (1991). "Contemporary Terrorism in Peru: Senderoso and the Media." *Journal of Communication*, 41(4), 75–89.

Bauman, Zygmunt (1989). *Modernity and the Holocaust*. Ithaca, NY: Cornell University Press.

Bernhard, Nancy. (2003). "Embedding Reporters on the Frontline." *Nieman Reports*, Summer. 86–88.

Busey, Samuel C. (1896). *Immigration: Evils and Consequences*. New York: De Witt & Davenport Publishers.

Calabrese, Andrew (2005). "Casus Belli: U.S. Media and the Justification of the Iraq War." *Television and New Media*, 6(2), 153–175.

Carlson, Adam, and Quinn, Dave (2018). "Mollie Tibbetts' Relatives Speak Out as Trump Uses Murder as Talking Point: 'Evil Comes in Every Color'" https://people.com/crime/mollie-tibbetts-aunt-statement-donald-trump-illegal-immigrant/. Accessed July 17, 2019.

Carruthers, Susan L. (2000). *The Media at War*. New York: Palgrave.

Cate, Fred H. (1996). "Communications, Policy-Making, and Humanitarian Crises." In Robert I. Rotberg and Thomas G. Weiss (Eds.), *From Massacres to Genocide: The Media, Public Policy, and Humanitarian Crises* (pp. 15–44). Washington, D.C.: The Brookings Institution.

Chomsky, Aviva (2018). "Dividing Immigrants Into Good and Evil Is a Dangerous Game." *The Nation*, March 13. www.thenation.com/article/dividing-immigrants-into-good-and-evil-is-a-dangerous-game/. Accessed July 17, 2019.

Clark, Roy Peter(2006). "Civil War and Civil Language: Word Choice and the Newsroom." *PoynterOnline*. www.poynteronline.org. Accessed January 10, 2007.

Davis, Alan (2001). "Introduction: Regional Media in Conflict." Institute for War and Peace Reporting. *Regional Media in Conflict: Case Studies in Local War Reporting*, June, 4–11. www.iwpr.net. Accessed January 11, 2007.

"Editorial: The Evil in Myanmar" (2017). *The Boston Herald*, September 13. www.bostonherald.com/2017/09/13/editorial-the-evil-in-myanmar/. Accessed July 17, 2019.

Eknes, Åge, and Endresen, Lena C. (1999). *Local Media Support*. Fafo-report 320. Oslo, Norway: Fafo Institute for Applied Social Science.

Ellis-Petersen, Hannah (2018). "Myanmar Government is Rogue and Evil, Says Bangladesh Minister." *The Guardian*, March 8. www.theguardian.com/world/2018/mar/08/myanmar-government-rogue-evil-bangladesh-minister-rohingya-refugees. Accessed July 17, 2019.

Fachot, Morand (2001). "The Media Dimension in Foreign Interventions." *Options Politiques*, January-February, 50–55.

Farhi, Paul (2019). "'Racist' Ttweets? News Media Grapple With How to Label Trump's Latest Attacks." *The Washington Post*, July 15.

Friedman, Thomas L. (1999). *The Lexus and the Olive Tree: Understanding Globalization*. New York: Farrar: Straus and Giroux.

Frohardt, Mark, and Temin, Jonathan (2003). *Use and Abuse of Media in Vulnerable Societies*. Special Report 110. Washington, D.C.: United States Institute of Peace.

Gallón, Natalie (2019). "A Shocking Image of a Drowned Man and His Daughter Underscores the Crisis at the US-Mexico Border." June 26. www.cnn.com/2019/06/25/americas/mexico-photo-of-father-and-daughter-dead-in-rio-grande/index.html. Accessed July 17, 2019.

Garrels, Anne (2004). *Naked in Baghdad: The Iraq War and the Aftermath as Seen by NPR's Correspondent*. New York: Picador.

Gilboa, Eytan (2000). "Mass Communication and Diplomacy: A Theoretical Framework." *Communication Theory*, 10(3), 275–310.

Gilboa, Eytan (2005). "The CNN Effect: The Search for a Communication Theory of International Relations." *Political Communication*, 22, 27–49.

Gourevitch, Philip (1998). *We Wish to Inform You That Tomorrow We Will be Killed with Our Children*. New York: Picador.

Gupta, Dipak K. (2001). *Path to Collective Madness: A Study in Social Order and Political Pathology*. Westport, CT: Praeger.

Gupta, Prachi (2019). "'How Much More Evil Can You Get?': Immigrant Rights Activists Brace for Upheaval." https://theslot.jezebel.com/how-much-more-evil-can-you-get-immigrant-rights-activ-1833889482. Accessed July 17, 2019.

Hedges, Chris (2003). *War Is a Force That Gives Us Meaning*. New York: Random House. www.coldtype.net. Accessed January 7, 2007.

Hieber, Loretta (1998). "Media as Intervention: A Report from the Field." *Track Two*, 7(4). www.ccr.uct.ac.za. Accessed January 11, 2007.

Hieber, Loretta (2001). *Lifeline Media: Reaching Populations in Crisis*. Washington, D.C.: Post-Conflict Unit, The World Bank.

Jenks, Jeremiah W. and Lauck, W. Jett (1912). *The Immigration Problem*, 2nd. New York: Funk & Wagnalls Company.

Kellow, Christine L., and H. Steeves Leslie (1998). "The Role of Radio in the Rwandan Genocide." *Journal of Communication*, 48(3), 107–128.

Kelman, Herbert C. (1995). "Decision Making and Public Discourse in the Gulf War: An Assessment of Underlying Psychological and Moral Assumptions." *Peace and Conflict*, 1(2), 117–130.

Lakoff, George (2006). "The Framing of Immigration." *UC Berkeley*. https://escholarship.org/uc/item/0j89f85g. Accessed July 17, 2019.

Larson, Ronald Paul (2004). "Anatomy of a Bonding: An Embedded Reporter's Account of the Bonding Process with Soldiers." In Yahya R. Kamalipour and Nancy Snow (Eds.), *War, Media, and Propaganda: A Global Perspective* (pp. 125–130). Lanham, MD: Rowman and Littlefield.

Lynch, Jake (2001). "Iraq, Peace Journalism and the Construction of Truth." www.wacc.org.uk. Accessed January 9, 2007.

Lynch, Jake (2002). "Journalist Ethics and Reporting Terrorism." *The Conflict, Security & Development Group Bulletin*, March-April, 9–11.

MacDonald, David Bruce (2002). *Balkan Holocausts? Serbian and Croatian Victim- Centered Propaganda and the War in Yugoslavia*. New York: Manchester University Press.

Manoff, Robert Karl (1998). "Telling the Truth to Peoples at Risk: Some Introductory Thoughts on Media & Conflict." www.bu.edu/globalbeat/pubs/manoff0798.html. Accessed January 11, 2007.

Marx, Willem (2006). "Misinformation Intern: My Summer as a Military Propagandist in Iraq." *Harper's Magazine*, September, 51–59.

Mayer, Jane (2019). "The Making of the Fox News White House." *The New Yorker*, March 3. www.newyorker.com/magazine/2019/03/11/the-making-of-the-fox-news-white-house. Accessed July 17, 2019.

Melone, Sandra D., Terzis, Georgios, and Beleli, Ozsel (2002). "Using the Media for Conflict Transformation: The Common Ground Experience." *Berghof Handbook for Conflict Transformation*. www.berghof-center.org. Accessed January 11, 2007.

Mertus, Julie, Tesanovic, Jasmina, Metikos, Habiba, and Boric, Rada (Eds.). (1997). *The Suitcase: Refugee Voices from Bosnia and Croatia*. Berkeley, CA: University of California Press.

Mirzoeff, Nicholas (2004). "Invisible Again: Rwanda and Representation after Genocide." *BBC News*, April 10, www.questia.com Accessed January 1, 2007.

Munro, John A. (1971). "British Columbia and the 'Chinese Evil': Canada's First Anti- Asiatic Immigration Law." *Revue d'études canadiennes*, 6(4), 42–51.

Murray, Shoon Kathleen, and Cowden, Jonathan A. (1999). "The Role of 'Enemy Images' and Ideology in Elite Belief Systems." *International Studies Quarterly*, 43, 455–481.

Navarrette, Ruben (2018). "The Lesser of Two Evils on Immigration." June 2. www.vcstar.com/story/opinion/columnists/2018/06/03/lesser-two-evils-immigration/661082002/. Accessed July 17, 2019.

Neuffer, Elizabeth (2002). *The Keys to My Neighbor's House: Seeking Justice in Bosnia and Rwanda*. New York: Picador.

O'Heffernan, Patrick (1993). "Sobering Thoughts on Sound Bites Seen 'Round the World.'." In Bradley S. Greenberg and Walter Gantz (Eds.), *Desert Storm and the Mass Media*. Hampton Press. Reproduced on July 2, 2001. http://ics.leeds.ac.uk/papers/vf01.cfm?folder=193&outfit=pmt. Acessed January 7, 2007.

Orwell, George (1946). "Politics and the English Language." www.orwell.ru/library/essays/politics/english/e_polit. Accessed January 10, 2007.

Paul, Christopher, and Kim, James J. (2004). "Reporters on the Battlefield: The Embedded Press System in Historical Context*." Santa Monica, CA: RAND Corporation.

Petley, Julian (2003). "War Without Death: Responses to Distant Suffering." *Journal for Crime, Conflict and the Media*, 1(1), 72–85.

Price, Monroe E. (2000) "Part II: The Case Studies—Bosnia-Herzegovina. "Restructuring the Media in Post-Conflict Societies: Four Perspectives." *Cardozo Online Journal of Conflict Resolution*, 2(1), 1–56. www.cojcr.org/vol2no1/article01.html. Accessed January 11, 2007.

Reich, Hannah (2003). "Constructive Discourse Transformation: Media Work in Asymmetrical, Intercultural Conflicts—The Case of the Middle East." *Berghof Occasional Paper No. 22. Berghof Research Center for Constructive Conflict Management*. www.berghof-center.org. Accessed January 9, 2007.

Reljic, Dusan (n.d.) The News Media and the Transformation of Ethnopolitical Conflicts. *Berghof Research Center for Constructive Conflict Management*. www.berghof-handbook.neton Accessed January 9, 2007.

Robinson, Piers (2000, April 10–13)."The News Media and Intervention: Critical Media Coverage, Policy Uncertainty and Air Power Intervention during Humanitarian Crisis." *Paper for the Political Studies Association—UK Annual Conference*. London.

Rozsa, Matthew (2019). "Donald Trump Says Watching Fox News 'Is Worse Than Watching Low Ratings Fake News CNN." *Salon*, July 8. www.salon.com/2019/07/08/donald-trump-says-watching-fox-news-is-worse-than-watching-low-ratings-fake-news-cnn/. Accessed July 17, 2019.

Schechter, Danny (2004). "Selling the Iraq War: The Media Management Strategies We Never Saw." In Yahya R. Kamalipour and Nancy Snow (Eds.), *War, Media, and Propaganda: A Global Perspective* (pp. 25–32). Lanham, MD: Rowman and Littlefield.

Seierstad, Åsne (2003). *The Bookseller of Kabul*. Ingrid Christopherson, Trans.. New York: Little, Brown.

Shadid, Anthony (2006). *Night Draws Near: Iraq's People in the Shadow of America's War*. New York: Picador.

Shephard, Alex (2017). "Minutes." *The New Republic*. https://newrepublic.com/minutes/143564/donald-trump-treating-fox-news-like-its-state-tv. Accessed July 17, 2019.

Skoko, Mirjana and Woodger, William (2000). "The Military and the Media." In Philip Hammond and Edward S. Herman (Eds.), *Degraded Capability: The Media and the Kosovo Crisis* (pp. 79–87). Sterling, VA: Pluto Press.

Solomon, Norman (2004). "Spinning War and Blotting Out Memory." In Yahya R. Kamalipour and Nancy Snow (Eds.), *War, Media, and Propaganda: A Global Perspective* (pp. 47–58). Lanham, MD: Rowman and Littlefield.

Stacks, John F. (2003–2004). "Hard Times for Hard News: A Clinical Look at U. S. Foreign Coverage." *World Policy Journal*, 20 (Winter). 12–21.

Steele, Bob (2000). "Guiding Principles for the Journalist." *PoynterOnline*. www.poynteronline.org. Accessed January 10, 2007.

Tehranian, Majid (2004). "War, Media, and Propaganda: An Epilogue." In Yahya R. Kamalipour and Nancy Snow (Eds.), *War, Media, and Propaganda: A Global Perspective* (pp. 237–242). Lanham, MD: Rowman and Littlefield.

Thebault, Reis, Velarde, Luis, and Hauslohner, Abigail (2019). "The Father and Daughter Who Drowned At the Border Were Desperate for a Better Life, Family Says." *The Washington Post*, June 26. www.washingtonpost.com/world/2019/06/26/father-daughter-who-drowned-border-dove-into-river-desperation/?utm_term=.e0e89e7e0f99. Accessed July 17, 2019.

Vaina, David (2006). "The Vanishing Embedded Reporter in Iraq." October 26. www.journalism.orgon Accessed January 9, 2007. www.abc.net.au/news/2016-05-11/webb-is-the-trump-of-the-philippines-a-force-for-good-or-evil/7403592. Accessed July 17, 2019.

Webb, Adele (2016, May 10). "Is the 'Trump of the Philippines' a Force for Good or Evil?" www.abc.net.au/news/2016-05-11/webb-is-the-trump-of-the-philippines-a-force-for-good-or-evil/7403592. Accessed August 29, 2019.

Wilmer, Franke (1998). "The Social Construction of Conflict and Reconciliation in Former Yugoslavia." *Social Justice*, 25(4), 90+. www.questia.comon. Accessed January 1, 2007.

Woods, Keith (2019). "Opinion" Report on Racism, But Ditch the Labels." July 17. www.npr.org/sections/codeswitch/2019/07/17/413380545/opinion-report-on-racism-but-ditch-the-labels. Accessed July 17, 2019.

Worthington, Andy (2015). "As the Death of Three-Year Old Syrian Refugee Aylan Kurdy Appals [sic] All Decent People, Please Sign the E-Petition Asking the UK Government to Accept More Refugees." September 3. www.andyworthington.co.uk/2015/09/03/as-the-death-of-three-year-old-syrian-refugee-aylan-kurdi-appals-all-decent-people-please-sign-the-e-petition-asking-the-uk-government-to-accept-more-refugees/. Accessed July 17, 2019.

Zelizer, Barbie, and Allan, Stuart (2003). "Introduction: When Trauma Shapes the News." In Barbie Zelizer and Stuart Allan (Eds.), *Journalism After September 11* (pp. 1–24). New York: Routledge.

33

Ethical Tensions in News Making

What Journalism Has in Common with Other Professions

Sandra L. Borden and Peggy Bowers

There has been ongoing debate about the commonalities between journalism and other professions. This chapter contributes to that debate by situating the study of comparative ethical concerns within previous research on professionalism in journalism and by drawing parallels with other professions to illustrate key ethical tensions that cut across domains. This analysis centralizes ethical concerns regarding epistemology and identity to derive the following ethical tensions: the tension between attachment and disinterest; the tension between authority and fallibility; the tension between autonomy and accountability; the tension between individual and community; and the tension between procedure and substance. In discussing these tensions, this essay suggests parallels with medicine, the academy, engineering, public administration, and law. Underlying all these tensions is the peculiar nature of professional power, its uses and abuses.

WHO IS A PROFESSIONAL?

Noting the lack of a common literature and common associations among mainstream journalists, Weaver, Beam, Brownlee, Voakes, and Wilhoit (2007) concluded: "There is a professional mindset among U.S. journalists, but its influence is found mainly in individual news organizations rather than in the larger institutions of journalism" (p. 243). This assessment illustrates the attribute approach to studying professions. Basically, an occupation qualifies as a profession if it possesses certain idealized attributes. These attributes include: mastery of a complex body of knowledge; considerable discretion in how members define and perform their work; organization along collegial lines of authority; and a commitment to public service and common standards of excellence. Journalists usually get left off the list of professions based on the attribute approach. Although journalists are committed to public service, their ethical views are quite diverse, their expertise is disputed, and their prerogatives are severely limited by the hierarchical organizations that employ them.

Some professionalism scholars dismiss idealized attributes as irrelevant and focus on professional identity from the perspective of the workers themselves. This phenomenological approach focuses on what professionalism means when workers use the term. Studies that focus on journalists' perception of objectivity as an ethical norm are an example of this approach (Beam, 1990).

Other examples include studies that focus on professional identity as a widely shared occupational ideology (Deuze, 2005) or a discursive frame of reference (Carpentier, 2005). Of course, many workers aspire to the prestige and purposefulness that professionalism implies and invoke the term as nothing more than a way of expressing their own personal commitment to competence and the highest ethical standards (Meyers, Wyatt, Borden, & Wasserman, 2012). However, the professional label is problematic for journalists because of its implications for controlling member entry. Many U.S. journalists think that any barriers to entry—especially legal ones, such as licensing—pose intolerable dangers to press freedoms under the First Amendment. Therefore, the term "professional" is contested among journalists themselves. Some embrace and promote it; others reject it on principle. The fact that many journalists see themselves as professionals, however, has moral significance insofar as they make promises and other commitments related to this identity. Journalists' fidelity to these commitments can be evaluated in moral terms.

POWER AND PROFESSIONALISM

Although the status and legitimacy of journalism are in decline (Lewis, 2012), journalism still wields considerable influence, whether or not it possesses enough traditional attributes to qualify as a full-fledged profession. To the degree that their influence translates into dependency and vulnerability on the part of others, we can scrutinize journalists' responsible exercise of power (Elliott, 1986). Professional ethics, with its assumption of power asymmetries in professional relationships, provides a useful starting point for such an examination. May (2001) suggested that professional authority is essentially adversarial because it is based on the ability of professionals to protect clients from negatives such as diseases, lawsuits, and despots. Clients are forced to accept diminished autonomy in their relationships with professionals in exchange for their protection. "Structurally, the professional's relationship to the client resembles the relationship of the Lockean state to the citizen. Both the state and the professional owe their original authority to a threat" (pp. 61–62).

In journalism, this feature of professionalism is captured in the image of the press as watchdog: You need us to be on the lookout for corrupt officials, business scams, tornadoes, and crime waves while you go on with your busy lives. If something important comes up, we'll let you know. Journalism's clients become monitorial citizens (Schudson, 1998) whose only role is to scan the news for immediate threats to their well-being and who, by definition, must rely on journalists to tell them what they ought to care about. Sometimes, clients resent their diminished autonomy enough to walk away from the professional relationship altogether. In fact, the migration of news audiences to alternative content providers may be partly motivated by a wider cultural movement toward de-professionalization and more egalitarian transactions (Lewis, 2012).

Journalism's agenda-setting function has been highlighted by critics of the media's power at least since Vice President Spiro Agnew's public critiques in 1969 (Altschull, 1990). In fact, Bowers, Meyers, and Babbili (2004) defined power as "the ability to achieve one's agenda, usually by manipulating others" (p. 227). Using this definition, they concluded that the institutional procedures used to define news control more than just what gets on the radar of public opinion; they also control the agenda in journalists' interactions with subjects and sources, with their publics, and with other nations. Digitally networked media have changed this dynamic considerably by making information easy to produce and to share. Nevertheless, journalists continue to value their traditional professional role of deciding what is news and often resist outsider participation in this process (Lewis, 2012).

Power in journalism has also been problematic because traditional journalism lacks a proximate relationship with its clients, the "public." Journalism's clientele historically has existed as

a diffuse entity often conceptualized in self-serving terms. The current emphasis on inclusion has sensitized journalists to the notion that they may have more defined public*s* (Deuze, 2005), and journalists increasingly interact (at least virtually) with individuals through social media and blogs. Nevertheless, there is more of a reality check built into the interactions of other professions that deal directly with the individuals seeking their services. Journalists, by contrast, have their most personal interactions with sources and subjects; that is, third parties in the professional–client relationship. As third parties, sources and subjects cannot count on being the intended beneficiaries in their interactions with journalists. There is, in other words, no concrete basis for trusting that journalists will refrain from exploiting the vulnerability of either the public(s) or the individuals who provide the raw material for news stories.

PROFESSIONALISM AND JOURNALISM ETHICS

Professionalism as a Source of Individual Autonomy

Individual autonomy is an important presumption of those who train for and enter the professions, and it is no different in journalism. Journalism ethics scholars, too, have privileged autonomy. In one of his earlier and best-known works (1974), Merrill famously championed radical freedom for journalists. He wrote, "The authentic journalist—the truly moral one—would not act to please somebody or to gain some advantage or to secure some reward …. The act should be done because the journalist is convinced that it is right" (p. 186). Merrill's unflinching call for radical autonomy propelled him to oppose most reform movements of the twentieth century, including public journalism, and to worry about the waning of press autonomy in the face of increasing public participation in journalism. His position on autonomy did not mean he embraced professionalism as others have. In fact, he called professions a "narrow, monolithic, self-centered fellowship of true believers" (1986, p. 56) who posed a threat to press freedom. His students and colleagues have not shared this view of professions, but have supported his emphasis on autonomy as central to the journalistic mission (e.g. Barger & Barney, 2004) and under siege in the contemporary media environment (Lewis, 2012; Singer, 2007; Singer Domingo, Heinonen, Hermida, Paulussen, Quandt, & Vujnovic, 2011).

Indeed, U.S. journalists have a "visceral attachment to autonomy" (Glasser & Gunther, 2005, p. 389). They want to choose which stories to cover, how to cover them, and how to report or illustrate them. They also expect, more generally, to be independent from other individuals within and without the profession, an expectation reinforced by the competitive ethos of American newsrooms and the liberal tradition of interpreting freedom of expression as a negative right. Willnat, Weaver, and Wilhoit (2017) linked decreased job satisfaction among U.S. journalists to substantial erosion in perceived professional autonomy since 1982. Ironically, rather than being a paragon of journalistic practice, autonomy itself may make it difficult to ask normative questions and to promote a democratically useful press (Kunelius, 2006). Finally, as Glasser and Gunther (2005) noted, journalists' reluctance to participate directly in allocative decisions at their organizations has had the unintended consequence of limiting their actual influence on the conditions and quality of their work.

Professionalism as an Instrument of Organizational Control

It is true that professionalism does afford practitioners some measure of discretion (Soloski, 1989), but the high level of autonomy implied by many professional ethics codes does not exist—if it ever did. Far from enjoying total control over their work, most professionals labor within

bureaucratic structures that organize work along hierarchical lines of authority. These professionals have used various strategies to insulate themselves from organizational influences—for example, newspapers have enforced an imaginary "wall" between their editorial and advertising departments. However, the reality of organizational life is that professionals are as susceptible as other employees to organizational socialization processes and reward systems. Indeed, research on the sociology of news work suggests that news organizations have successfully co-opted professional values by equating them with efficient routines that unobtrusively control news workers even while affording them some freedom from direct supervision (e.g., Gans, 1980; Soloski; Tuchman, 1977). Journalists' level of autonomy is, in fact, so inadequate relative to professional expectations that some authors have suggested that journalists are effectively excused from meeting the stringent moral obligations of truthfulness and independence espoused by their profession (Birkhead, 1986; McManus, 1997). In other words, they cannot be held fully accountable after all.

Professionalism as a Source of Accountability and Ethical Norms

Professionals are to avoid abusing the inherent power inequality in the professional–client relationship by acting as trustees of their clients' best interests. To earn the trust of their clients and of society, professionals voluntarily adopt codes of ethics that spell out their aspirations and minimal moral expectations. That is, they make themselves answerable, or accountable, to others. In journalism, there are a number of professional societies that have made public statements about ethical standards that apply to journalists generally (e.g., the code of the Society for Professional Journalists) and to particular subsets of the profession (e.g., the code of the National Press Photographers Association). These statements tend to focus on the principles of truthfulness, independence, and non-maleficence.

Nevertheless, journalists do not appeal regularly to their own ethics codes when making ethical decisions (Boeyink, 1994). And, although the ethics code for the Society of Professional Journalists embraces accountability as one of its four guiding principles, journalists (like other professionals) are better at preventing interference from outsiders than they are at inviting scrutiny from outsiders. This stance has become more and more of a losing proposition as transparency has become the new motto of public communicators who are no longer willing to simply trust journalists' motives and expertise (Craft & Heim, 2009; Phillips, 2010).

Professionalism as a Source of Individual Identity

When professionals become socialized into a profession, they acquire a new identity. That identity includes expectations of collegiality and autonomy, as well as commitments to a common purpose and common standards of excellence. Social scientists studying professionalism have tried to measure such dimensions of professional identity via individual indicators, such as membership in professional organizations. Embedded in these inquiries are questions about the central role of professionalism and professionalization in how journalists construct their identities and embody journalistic values (McLeod & Hawley, 1964).

Longitudinal studies exploring the demographics of newsrooms in the United States and globally have illuminated the changing face of journalism and suggested roles that journalists feel most comfortable playing—for example, as information disseminators, interpreters, adversaries or mobilizers (Willnat et al., 2017). They also reflect roles that are more surprising or less comfortable for journalists—for example, cultural elite and corporate creatures (Overholser, 1998).

The latter term is itself a subject of special scrutiny in the literature on professionalism and identity. Such studies are a kind of contemporary and journalistic development of Whyte's (1956) classic treatise, *Organization Man*, in which he argued that a social ethic is at work in society, morally legitimating "pressures of society against the individual" and exploiting our belief that belongingness is the "ultimate need of the individual" (p. 7). What that means is that organizational identity impinges on journalists' constructions of their own professional identities. Nevertheless, professionalism also provides a strong alternative target of identification within news organizations. Professional journalists, in effect, have access to independent external standards for evaluating journalistic work and news management (Soloski, 1989). With the right amount of solidarity, the profession can function as a moral community that can provide a frame of reference for feeling both professional shame and professional pride (Borden, 2007).

Unfortunately, an emphasis on professionalism as an individual characteristic, rather than one that is held in common with other colleagues, has impeded the development of professional organizations and unions that could address journalists' work conditions (Fedler, 2006; Glasser & Gunther, 2005) and could offer concrete support for individuals who take courageous action in behalf of the profession's shared values (Borden, 2000). In fact, Weaver and Wilhoit (1996) wrote, "contrary to many of the critics, journalism's major problems may stem from too little professionalization, not too much" (p. 127).

Professionalism as a Source of Cultural Authority

Professionalism gives journalism, like other occupations that claim to produce specialized knowledge, a measure of *cultural authority*; that is, authority to interpret reality (Winch, 1997). Other professions have the authority to announce medical breakthroughs or offer legal interpretations; journalism's niche is sifting through events and issues and declaring some of these to be "news." This determination is made by applying specialized gatekeeping, reporting, and writing techniques.

According to Winch (1997), cultural authority has three dimensions: collegial (based on the regard of peers), cognitive (based on recognized intellectual standards), and moral (based on an altruistic orientation). All three dimensions are significantly enhanced by professional status: Self-regulation serves as quality control. Expertise guarantees need for services. A vocational orientation limits the pursuit of self-interest. The more professionalized an occupation is, the more convincing are its claims of legitimacy and the more power it enjoys in society. Journalism's rather weak claims to professional status partly explain its relative lack of occupational power within organizations and within the market. Journalism's cultural authority has also suffered because laypersons now have easy access to information on the Internet and can fact-check stories and personally examine the raw materials on which news accounts are based. In addition, the recent surge in populism has weakened trust in the press based on its association with corrupt elites.

That being said, journalists will take what they can get. When journalism's cultural authority is threatened, its practitioners move to rhetorically draw boundaries that will solidify their standing with the public, whether the threat comes from purveyors of entertainment (Bishop, 2004; Mathisen, 2019; Winch, 1997) or the information slingers on the Internet (Lewis, 2012; Singer, 2003). For example, journalists in the 1980s denounced the tabloids as unreliable purveyors of gossip. In the 1990s, they criticized cable TV pundits who mixed fact with opinion. Today, they point out that most bloggers and aggregators do not do their own reporting and discredit purveyors of fake news.

Professionalism and the Production of Knowledge

Knowledge is a "core generating trait" of professionalism (as cited in MacDonald, 1995, p. 185). Journalists do not necessarily lay claim to the auspicious task of creating knowledge, though they would readily accede their part in reporting the knowledge that others create or discover. Still, journalists' participation in producing that unique animal known as news reflects a larger epistemological battle between an impartial account of an objective reality on the one hand and a socially and culturally constructed narrative of society's goals and values on the other.

Sociologists in the 1970s called into question objectivity's ability to effect what its practitioners intended:

> Bringing to the forefront issues like values, roles, and ethics, what emerged from (the sociological) literature was a growing recognition that journalists crafted standards of action collectively with others and that those standards in turn structured journalists' approaches to news.
>
> (Zelizer, 2004, p. 58)

Tuchman (1972) portrayed objectivity as a strategic ritual whose uses were both pragmatic and procedural. Schudson's (1978) historical study of the rise of objectivity further exposed its less-than-sanctimonious origins. Thus began the questioning of whether and to what extent newspeople would be able to execute their mission of reporting the truth with dispassionate exactitude. Tumber and Prentoulis (2005) remarked that, "the problems of basing a professional practice on such an illusive concept have never ceased to challenge" (p. 65). Indeed, most U.S. journalists surveyed in 2013 did not see objectivity as extremely important to their roles (Willnat et al., 2017).

Critiques of objectivity flung open the door of postmodern questioning (Hallin, 1992), as did scandals in newsgathering (Eason, 1986). At the center of the debate was the very nature of language itself. According to Taylor (1985), language can never be neutral and by its very nature constitutes rather than merely describes. This process of articulation means that journalists will not be able to portray some sort of truth with a capital T regardless of their use (or omission) of adjectives and adverbs. Some scholars suggest that objectivity can be refurbished by incorporating contemporary insights into the nature of knowledge and inquiry (Ryan, 2001; Ward, 2005). However, if knowledge is contingent rather than pre-existent, epistemologically constructed rather than objective, constituted rather than depicted by language, professionalism arguably functions as an impediment to media morality by occluding the journalist's role in creating news. Scraps of information replace the holistic cloth of knowledge. In T.S. Eliot's (1962) astute formulation, "Where is the wisdom we have lost in knowledge? Where is the knowledge we have lost in information?" (pp. 96–97).

FUNDAMENTAL ETHICAL TENSIONS IN JOURNALISM AND OTHER PROFESSIONS

One of the most difficult ethical tensions in the work of professionals, and especially those who come face-to-face with human affliction and suffering, is to establish the appropriate relationship between attachment and disinterest.

The Tension Between Attachment and Disinterest: Parallels with Medicine

To what degree should a professional be interested only in the problem posed (diagnosis or treatment, gathering of information), removed from the actual person whom it affects? In 2006, *Quill* magazine highlighted the "unique dilemma" of whether Western journalists should help

the subjects of their stories in developing countries (Reporters in Africa, 2006). Dilemma, with its Greek etymology, is a well-suited word, because it implies that both choices seem good, but exact a high price.

Although medicine is more self-consciously, directly, and unabashedly a helping profession than journalism, it too faces this enigma of negotiating the relationship between professional disinterest and attachment. Although a physician must display enough disinterest to approach diagnostic problems impartially and to maintain adequate interpersonal distance with patients, it does not seem ethically optimal to regard the persons under one's care exclusively in terms of clinical interest. Journalists likewise must see the persons about whom they report, take some responsibility for the consequences of their words and images, and yet avoid an emotional investment so deep that it precludes the ability to complexly describe multiple perspectives. It is the age-old tension implicit in journalism and in professionalism generally—the often forced dichotomy between being professional and being human (Bowers, 1998). One of the most poignant examples is that of South African photojournalist Kevin Carter, who committed suicide three months after accepting the 1994 Pulitzer Prize for his dramatic image of a vulture awaiting the demise of a starving Sudanese child.[1] Carter said after taking photographs for a half-hour, he left the toddler alone, sat under a tree to smoke a cigarette and cried. Reporters covering Hurricane Katrina faced the same predicament, some of them ultimately wading into chest-high water to pull a driver out of his sinking car, crying on air, giving food to those who were ill.

Another important issue is the power difference between professionals and the persons with whom they deal. Both journalists and doctors are in the dominant position. Many people involved in newsworthy events have had no experience with journalism, cannot imagine how they could appear in a story, and are notably unskilled at protecting their own interests. On the other hand, third parties often share an adversarial role, or at least one of disinterest, as shown by the common use of the term "source" to describe such persons. If the source is media savvy, the adversarial relationship is less morally problematic. In contrast, the equivalent in medicine is rarely the case. Many patients today come in much better informed than in the past, but they admittedly have no expertise in medicine and have much more willingness to trust the medical profession as a whole to protect their health interests. Both doctors and journalists must walk with ethical care in the life-and-death dramas of those whom they encounter. S. Elizabeth Bird (2005) has contended that journalists could profit by incorporating ethnography into their writing, a sentiment other scholars have echoed. Although she admitted this would lead to greater ethical dilemmas, she maintained it would also lead to journalists becoming "aware of their sources as people" and "critical of the kind of easy answers that claim the story comes first" (p. 307). In other words, they might exercise authentic empathy, rather than the strategic empathy they routinely enact in their interactions with sources and subjects (Borden, 1993).

The Tension Between Authority and Fallibility: Parallels with the Academy

All professions can be morally evaluated in part on their exercise of what Code (1987) called *epistemic responsibility*—that is, whether they use "good enough" standards to know what they claim to know. To demonstrate their reliability, professionals often vouch for the claims they make on the basis of expertise, which can be grounded in scientific study, objective reporting procedures, and so on. However, they risk looking naïve or self-serving if they do not acknowledge that they make mistakes or even that non-professionals may sometimes have the answers. This situation creates a tension between invoking authority and acknowledging fallibility. In this regard, journalists have much in common with academics. Scholars are more comfortable than journalists about stating the limitations of their research methods and even acknowledging

the underlying assumptions of their work. That being said, they still have a stake in conferring authoritative status on their findings to distinguish scholarship from common-sense intuitions. Nowhere is this more evident than in the classroom, where the unequal status between teacher and student is predicated primarily on the professor's superior (and credentialed) knowledge of the field.

Certainly, raising questions is as useful as answering them when it comes to learning. Professors as well as journalists would be professing their expertise more responsibly and more credibly if they acknowledged the constructed and tentative nature of knowledge. For journalists, this would mean being more transparent about how they determine what is news and framing news in more tentative terms (Borden, 2007). They might network with citizen journalists and bloggers to provide citizens with a more complex view of the world while not relinquishing their special status as knowers who rely on independent reporting and other epistemological disciplines drawn from journalism's unique professional tradition.

The Tension Between Autonomy and Accountability: Parallels with Engineering

By making themselves answerable to those who depend on them, professionals voluntarily place limits on their discretion and get into the messy business of weighing the moral claims of diverse stakeholders. Professionals traditionally have addressed this tension between autonomy and accountability by ordering their obligations to moral claimants. Clients come first, then colleagues, then society, then third parties. In practice, however, the organizational context of professional work often defeats this strategy. Organizations typically mediate the relationships between professionals and their clients. Clients do not pay professionals directly, nor do they seek their services as individuals. Rather, they go through the organizations that employ professionals (Newton, Hodges, & Keith, 2004). This structure makes professionals directly accountable to their employers and only indirectly accountable to their clients. In this regard, journalists and engineers find themselves facing similar challenges.

Both journalistic and engineering clients are thus vulnerable to organizational professionals who may elect to pursue the interests of their employer over their interests. The best-known engineering example is the 1986 *Challenger* disaster. Robert Lund—an engineer who also was a vice president in the company that manufactured the space shuttle's defective rocket booster—was pressured to downplay the safety concerns he had as an engineer and to prioritize instead the efficiency and publicity concerns he had as a manager. The results, as we know, were tragic. Journalists likewise face situations in which the public's interest and the corporation's interest may be at odds. A well-known example is the decision by corporate officers at CBS News to initially prevent *60 Minutes* from airing a segment in 1995 that exposed wrongdoing by a major tobacco company. The story showed that Brown & Williamson deliberately manipulated the chemical content of its cigarettes to make them more addictive. CBS said it nixed the story for fear of being sued. Eventually, *60 Minutes* aired a shorter version of the story without identifying the whistleblower.

The organizational context of professional work is not the only complication. What about the moral claims of entities such as democracy or the environment? How is an engineer supposed to weigh the interests of an endangered owl against the interests of a client whose project will damage the owls' habitat? How is a journalist supposed to figure out the right approach to covering a referendum that effectively diminishes the rights of some citizens while enjoying strong support from the majority of voters in her state? Engineers are broadly accountable for being good stewards of the environment, just as journalists are broadly accountable for being good stewards of democracy. But the best way of resolving the kinds of conflicts illustrated by these examples is far from clear.

The Tension Between Individual and Community: Parallels with Public Administration

Community is another abstraction that tests the moral imagination of professionals. Professions may be collectives, but they are collectives that vouch for certain capacities of mind and heart belonging to *individual* practitioners (Larson, 1977). The tension between individual and communal identities is especially problematic for professions such as journalism, which have a prominent civic dimension. Excessive individualism threatens to impoverish conceptions of professionals as well as conceptions of citizens. In this regard, journalists have much in common with public administrators.

Christians, Schultze, and Sims (1978) noted that early American newspaper editors used to train young apprentices with the idea that "reporting for a newspaper prepared one adequately to understand life" (p. 38). The way that a journalist inhabited the various roles involved in newspapering was inseparable from his understanding of his place in the local community. In contrast, the university-based system emphasized training to prepare one for specialized roles that were transferable from one community to another. This interchangeability made journalists at once more marketable and more scientific. It also made them resident aliens in the communities they covered. The resulting mindset of technical rationality, as Adams and Balfour (2014) called it in the public administration context, narrowed the moral concerns of professionals by removing any necessary reference to social goods. Indeed, any attempt to assert community claims as such is construed as interference or bullying.

This limitation makes interpreting the "public interest" difficult for both journalists and public administrators. What can the "public interest" mean in the modern sense if not an aggregation of individual interests? And so journalists report on opinion polls, and public administrators trust that the votes tallied on Election Day authoritatively express the will of the people. As Jos and Tompkins (1995) noted, expanding public participation and dialogue means that public administrators may sometimes have to confront citizens with hard truths about the effects of public policy and the limits of government action. Likewise, journalists may need to do more than explain how much the latest government program is going to cost; they may need to help citizens make sense of the bill's underlying philosophy and whether it is likely to promote goals that sustain communities. They also need to resist equating "public" with the "majority"; in fact, there are a number of "publics" that may need help in articulating their separate interests and being heard—and heeded—in the larger public sphere (Haas & Steiner, 2001).

The Tension Between Procedure and Substance: Parallels with Law

In the tension between the Right and the Good, law as a profession is predisposed to favor the Right, which can lead to a valueless orientation. There is no substantive notion of the Good because of the assumption that values are not based in reason. While some scholars argue that values *can* be based in reason (Taylor, 1997), the concern here is what we will call proceduralism. Proceduralism is most closely identified with the political philosophy of liberalism, which is rights-based, rule-driven, and atomistic, and favors justice over compassion and other social values. The justice system embodies such a philosophy by emphasizing trust in the procedure to produce an ethical outcome (e.g., the jury system in which the mechanism for evidence examination and debate supposedly produces justice). In the case of journalism, this can be illustrated by the willingness of reporters to answer for the procedure used in newsgathering and writing, but not for the outcome of a story. It is a case of what Pech and Leibel (2006) call a "purely epistemic" (p. 146) practice disconnected from any ontological goal. In other words, journalists often make decisions based on what a procedure says they can do rather than determining what

is good to do. The 2005 controversy over the Danish cartoons depicting the prophet Mohammed is one example. Journalists justified publishing the cartoons despite their offensiveness to many Muslims by saying it was their right, rather than by articulating why it was a *good* thing to do.

When journalists and other professionals make moral decisions based exclusively on rights, procedures, or autonomy, they forfeit opportunities to foster political discourse and to situate themselves in community; they ultimately risk making themselves meaningless in a global environment (Bowers, 2007; Glendon, 1991; Sandel, 1982). Freidson (2001) explained, "Transcendent values add moral substance to the technical content of disciplines" (p. 222). Yet this implies resisting "economic and political restrictions that arbitrarily limit (the profession's) benefits to others." May (2001) recommended that professionals engage in teaching and persuasion aimed at cultivating good habits, not just skillful technique aimed at neutralizing looming threats. In this way, clients would be actively involved in promoting shared goods, such as justice and knowledge.

SUGGESTIONS FOR FURTHER RESEARCH

Ethical concerns regarding epistemology and identity manifest themselves in a series of tensions especially pronounced in professionals, including journalists. These tensions, of attachment and disinterest, authority and fallibility, autonomy and accountability, individual and community, procedure and substance, serve as one rubric for understanding the normative claims on professional life. They are only a beginning, but they also offer fruitful guidance for future research that can more broadly expand and complicate our thinking on professional ethics and its relationship to the practice of journalism.

Most fundamentally, journalism ethics scholarship and pedagogy must closely address the lived experiences of practicing journalists—past, present, and future—in a meaningful way (Pottker, 2005). This may mean searching for new problems, framing traditional problems in a new way, or being mindful of the changing cast of actors on the media landscape (Whitehouse & McPherson, 2002). The urgent need for more professional/academic dialogue clearly shone in the Media Ethics Summit II of 2007. For the first time in 20 years, media practitioners from a diverse set of professional organizations and senior ethics scholars met to discuss the state of media ethics. Many important concerns emerged from the discussions as practitioners shared the contemporary conditions under which they work as well as problems they foresaw. Such conversations need to be more frequent and the formal thoughts of the respective groups, more accessible to one another.

Comparisons to the staid and often slowly adaptive professions, such as medicine and law, should function as tacit reminders that, for journalism ethics to be fecund, it must seek fresh soil and new horizons. On the other hand, well-established professions provide a roadmap for guild power (Larson, 1977) and collective consciousness. These could help improve journalists' working conditions, provide direction to technological and cultural innovation in journalistic practice, and defend journalists against populist attacks (Gillmor, 2018). Without vision journalism ethics will perish—that is true, but so is the fact that ethics must be practical enough to realize the ideal. Toward that end, Harcup's (2002) call for academics to address the role of journalists as workers is timely at a time when journalists are increasingly turning to unions to address their job security and independence from business interests (Greenhouse, 2018). Harcup wrote, "Seemingly oblivious to such mundane matters as the working conditions of practitioners, many academics continue to debate the ethics of journalism while ignoring the conditions under which such journalism is produced" (p. 112).[2] Future research must continue to consider how technology is changing the

role and the identity of professionals (Deuze, 2005; Lewis, 2012; Starck, 2001). Here the work of Carey (1969, 1989)) is worth re-examination, as he so astutely worried about the implications of the professional communicator privileging the descriptive while subsuming the interpretive. Cultural and ideological approaches (e.g., Carpentier, 2005; Deuze, 2005; Zelizer, 1993), meanwhile, have the potential to move the field beyond a conception of professional identity as a static personal trait to a richer conception of professional identity as a dynamic construction that is negotiated in the context of professional interactions with colleagues, bosses, publics, and third parties. It may be time to acknowledge the limited professional autonomy that journalists enjoy in practice and start devoting sustained effort to articulating the ethical responsibilities of news executives, media owners, and citizens (e.g., Adam, Craft, & Cohen, 2004; Barger & Barney, 2004). Journalism ethics scholars, meanwhile, can draw on the resources of journalism's own tradition to articulate and promote a more sophisticated professional epistemology that retains the best of objectivity while shedding its worst liabilities, along the lines suggested by Ward (2005). Finally, researchers must engage in thoughtful analysis of key political concepts as they relate to journalism's purpose and practices, including democracy, citizenship, and community. The professional journalist, after all, works in the public interest. Any useful system of ethical thought must accommodate that goal.

NOTES

1. The incident re-emerged in professional memory with the 2007 release of the documentary, *The Life and Death of Kevin Carter*.
2. For discussion of the tension between professionalism and collective bargaining, see Meyers, Wyatt, Borden, & Wasserman (2012).

REFERENCES

Adam, G. S., Craft, S., & Cohen, E. D. (2004). Three essays on journalism and virtue. *Journal of Mass Media Ethics*, *19*(3–4), 247–275. doi:10.1080/08900523.2004.9679691

Adams, G. B., & Balfour, D. L. (2014). *Unmasking administrative evil* (4th ed.). New York: Routledge.

Altschull, H. (1990). *From Milton to McLuhan: The ideas behind American journalism*. New York: Longman.

Barger, W., & Barney, R. (2004). Media-citizen reciprocity as a moral mandate. *Journal of Mass Media Ethics*, *19*(3-4), 191–206. doi:10.1080/08900523.2004.9679688

Beam, R. A. (1990). Journalism professionalism as an organizational-level concept. *Journalism Monographs*, *121*, 1–43.

Bird, S. E. (2005). The journalist as ethnographer? How anthropology can enrich journalistic practice. In E. W. Rothenbuhler & M. Coman (Eds.), *Media anthropology* (pp. 301–308). Thousand Oaks, CA: Sage.

Birkhead, D. (1986). News media ethics and the management of professionals. *Journal of Mass Media Ethics*, *1*(2), 37–46. doi:10.1080/08900528609358265

Bishop, R. (2004). The accidental journalist: Shifting professional boundaries in the wake of Leonardo DiCaprio's interview with former President Clinton. *Journalism Studies*, *5*(1), 31–43. doi:10.1080/1461670032000174729

Boeyink, D. E. (1994). How effective are codes of ethics? A look at three newsrooms. *Journalism Quarterly*, *71*, 893–904. doi:10.1177/107769909407100413

Borden, S. L. (1993). Empathic listening: The journalist's betrayal. *Journal of Mass Media Ethics*, *8*(4), 219–226. doi:10.1207/s15327728jmme0804_3

Borden, S. L. (2000). A model for evaluating journalist resistance to business constraints. *Journal of Mass Media Ethics*, *15*(3), 149–166. doi:10.1207/S15327728JMME1503-2

Borden, S. L. (2007). *Journalism as practice: MacIntyre, virtue ethics and the press*. Aldershot: Ashgate.

Bowers, P. J. (1998). *Taylor's practical reason and moral decision making among journalists*. Unpublished dissertation.

Bowers, P. J. (2007). Journalism's missed opportunities. *International Journal of Media and Cultural Politics*, *3*(1), 89–93. doi:10.1386/macp.3.1.89_3

Bowers, P. J., Meyers, C., & Babbili, A. (2004). Power, ethics, and journalism: Toward an integrative approach. *Journal of Mass Media Ethics*, *19*(3-4), 223–246. doi:10.1207/s15327728jmme1903&4_6

Carey, J. (1969). The communications revolution and the professional communicator. *Sociological Review, No*, *13*(January), 23–38. doi:10.1111/j.1467-954X.1965.tb03107.x

Carey, J. (1989). *Communication as culture: Essays on media and society*. Boston: Unwin Hyman.

Carpentier, N. (2005). Identity, contingency and rigidity: The (counter-)hegemonic constructions of the identity of the media professional. *Journalism*, *6*(2), 199–219. doi:10.1177/1464884905051008

Christians, C. G., Schultze, Q. J., & Sims, N. H. (1978). Community, epistemology and mass media ethics. *Journalism History*, *5*(2), 38–41, 65–67.

Code, L. (1987). *Epistemic responsibility*. Hanover, NH: University Press of New England.

Craft, S., & Heim, K. (2009). Transparency in journalism: Meanings, merits and risks. In L. Wilkins & C. G. Christians (Eds.), *The Handbook of Mass Media Ethics* (pp. 217–228). New York: Routledge.

Deuze, M. (2005). What is journalism? Professional identity and ideology of journalists reconsidered. *Journalism*, *6*(4), 442–464. doi:10.1177/1464884905056815

Eason, D. (1986). On journalistic authority: The Janet Cooke scandal. *Critical Studies in Mass Communication*, *3*, 429–447. doi:10.1080/15295038609366674

Eliot, T. S. (1962). Choruses from "The Rock." In *The complete poems and plays 1909–1950* (pp. 96–97). New York: Harcourt Brace & World.

Elliott, D. (1986). Foundations for news media responsibility. In D. Elliott (Ed.), *Responsible journalism* (pp. 32–44). Beverly Hills, CA: Sage.

Fedler, F. (2006, August). *Reporters' conflicting attitudes and struggle to unionize*. Paper presented to the Association for Education in Journalism and Mass Communication, San Francisco.

Freidson, E. (2001). *Professionalism: The third logic*. Chicago, IL: University of Chicago Press.

Gans, H. J. (1980). *Deciding what's news: A study of CBS Evening News, NBC Nightly News, Newsweek and Time*. New York: Vintage.

Gillmor, D. (2018). Dear journalists, the war on what you do is escalating: To fight back, work together. *Medium*, August 13. Retrieved from www.medium.com

Glasser, T. L., & Gunther, M. (2005). The legacy of autonomy in American journalism. In G. Overholser & K. H. Jamieson (Eds.), *The press* (pp. 384–399). New York: Oxford University Press.

Glendon, M. A. (1991). *Rights talk: The impoverishment of political discourse*. New York: Free Press.

Greenhouse, S. (2018). More secure jobs, bigger paychecks: The reasons for unionizing haven't changed much in the last 80 years. *Columbia Journalism Review*, Spring/Summer. Retrieved from www.cjr.org

Haas, T., & Steiner, L. (2001). Public journalism as a journalism of publics: Implications of the Habermas-Fraser debate for public journalism. *Journalism*, *2*(2), 123–147. doi:10.1177/146488490100200202

Hallin, D. (1992). The passing of the "high modernism" of American journalism. *Journal of Communication*, *42*(3), 14–26.

Harcup, T. (2002). Journalists and ethics: The quest for a collective voice. *Journalism Studies*, *3*(1), 101–114. doi:10.1080/14616700120107356

Jos, P. H., & Tompkins, M. E. (1995). Administrative practice and the waning promise of professionalism for public administration. *American Review of Public Administration*, *25*(3), 207–273.

Kunelius, R. (2006). Good journalism: On the evaluation criteria of some interested and experienced actors. *Journalism Studies*, *7*(5), 71–690. doi:10.1080/14616700600890323

Larson, M. S. (1977). *The rise of professionalism: A sociological analysis*. Berkeley, CA: University of California Press.

Lewis, S. C. (2012). The tension between professional control and open participation. *Information, Communication & Society*, *15*(6), 836–866. doi:10.1080/1369118X.2012.674150

MacDonald, K. M. (1995). *The sociology of the professions*. Thousand Oaks, CA: Sage.

Mathisen, B. R. (2019). Ethical boundaries among freelance journalists. *Journalism Practice*, *13*(6), 639–656. doi:10.1080/17512786.2018.1548301

May, W. (2001). *Beleaguered rulers: The public obligation of the professional*. Louisville, KY: Westminster John Knox Press.

McLeod, J. M., & Hawley, S. E., Jr. (1964). Professionalization among newsmen. *Journalism Quarterly*, *41*, 529–538, 577.

McManus, J. H. (1997). Who's responsible for journalism*?*. *Journal of Mass Media Ethics*, *12*(1), 5–17.

Merrill, J. C. (1974). *The imperative of freedom: A philosophy of journalistic autonomy*. New York: Hastings House.

Merrill, J. C. (1986). Professionalization: Danger to press freedom and pluralism. *Journal of Mass Media Ethics*, *1*(2), 56–60.

Meyers, C., Wyatt, W., Borden, S. L., & Wasserman., E. (2012). Professionalism, not professionals. *Journal of Mass Media Ethics*, *27*(3), 189–205.

Newton, L. H., Hodges, L., & Keith, S. (2004). Accountability in the professions Accountability in journalism. *Journal of Mass Media Ethics*, *19*(3–4), 166–190. doi:10.1080/08900523.2004.9679687

Overholser, G. (1998). Editor Inc. *American Journalism Review*, December, pp. 48–62, 65.

Pech, G., & Leibel, R. (2006). Writing in solidarity: Steps toward an ethic of care for journalism. *Journal of Mass Media Ethics*, *21*(2-3), 141–155. doi:10.1080/08900523.2006.9679730

Phillips, A. (2010). Transparency and the new ethics of journalism. *Journalism Practice*, *4*(3), 373–382. doi:10.1080/17512781003642972

Pottker, H. (2005). What is journalism for? Professional ethics between philosophy and practice. *Communications*, *30*, 109–116. doi:10.1515/comm.2005.30.1.109

Reporters in Africa struggle over when to help. (2006). *Quill Magazine*, June/July, p. 6.

Ryan, M. (2001). Journalistic ethics, objectivity, existential journalism, standpoint epistemology, and public journalism. *Journal of Mass Media Ethics*, *16*(1), 3–22. doi:10.1207/S15327728JMME1601_2

Sandel, M. (1982). *Liberalism and the limits of justice*. Cambridge: Cambridge University Press.

Schudson, M. (1978). *Discovering the news: A social history of American newspapers*. New York: Basic Books.

Schudson, M. (1998). *The good citizen: A history of American civic life*. New York: Free Press.

Singer, J. B. (2003). Who are these guys? The online challenge to the notion of journalistic professionalism. *Journalism*, *4*(2), 139–163. doi:10.1177/146488490342001

Singer, J. B. (2007). Contested autonomy: Professional and popular claims on journalistic norms. *Journalism Studies*, *8*(1), 79–95. doi:10.1080/14616700601056866

Singer, J. B., Domingo, D., Heinonen, A., Hermida, A., Paulussen, S., Quandt, T., & Vujnovic, M. (2011). *Participatory journalism: Guarding open gates at online newspapers*. Malden, MA: Wiley-Blackwell.

Soloski, J. (1989). News reporting and professionalism: Some constraints on the reporting of the news. *Media, Culture and Society*, *11*, 207–228.

Starck, K. (2001). What's right/wrong with journalism ethics research? *Journalism Studies*, *2*(1), 133–152. doi:10.1080/14616700119246

Taylor, C. (1985). *Philosophical papers, vol. 1*. Cambridge: Cambridge University Press.

Taylor, C. (1997). *Philosophical arguments*. Cambridge, MA: Harvard University Press.

Tuchman, G. (1972). Objectivity as strategic ritual: An examination of newsmen's notion of objectivity. *American Journal of Sociology*, *77*, 660–679.

Tuchman, G. (1977). The exception proves the rule: The study of routine news practices. In P. M. Hirsch, P. V. Miller, & F. G. Kline (Eds.), *Strategies for communication research* (pp. 43–62). Beverly Hills, CA: Sage.

Tumber, H., & Prentoulis, M. (2005). Journalism and the making of a profession. In H. deBurgh (Ed.), *Making journalists: Diverse models, global issues* (pp. 58–74). London: Routledge.

Ward, S. J. A. (2005). *The invention of journalism ethics: The path to objectivity and beyond*. Montreal: McGill-Queen's University Press.

Weaver, D. H., Beam, R. A., Brownlee, B. J., Voakes, P. S., & Wilhoit, G. C. (2007). *The American journalist in the 21st century: U.S. news people at the dawn of a new millennium*. Mahwah, NJ: Erlbaum.

Weaver, D. H., & Wilhoit, G. C. (1996). *The American journalist in the 1990s: U.S. news people at the end of an era*. Mahwah, NJ: Erlbaum.

Whitehouse, V., & McPherson, J. B. (2002). Media ethics textbook case studies need new actors and new issues. *Journal of Mass Media Ethics*, *17*(3), 226–234. doi:10.1207/S15327728JMME1703_04

Whyte, W. H., Jr. (1956). *The organization man*. New York: Simon & Schuster.

Willnat, L., Weaver, D. H., & Wilhoit, C. G. (2017). *The American journalist in the digital age: A half-century perspective*. New York: Peter Lang.

Winch, S. P. (1997). *Mapping the cultural space of journalism: How journalists distinguish news from entertainment*. Westport, CT: Praeger.

Zelizer, B. (1993). Journalists as interpretive communities. *Critical Studies in Mass Communication*, *10*, 219–237. doi:10.1080/15295039309366865

Zelizer, B. (2004). *Taking journalism seriously: News and the academy*. Thousand Oaks, CA: Sage.

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