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CHAPTER 7

Tall Tales: Ethical Storytelling in the Age of Infotainment

Cynthia M. King *and* Deni Elliott¹

Once upon a time, journalists reported news, companies promoted products, and entertainers produced drama and diversions. Today, news, promotion, and entertainment are blended together in an endless array of offerings, with such labels as infotainment, sportainment, docudrama, advertorials, blogvertising, reality TV, and product placement. The names themselves attest to the hybrid nature of current mass communication forms and providers. People learn about current events from talk radio, magazine shows, and late night comedy. Companies shop their goods through branded entertainment and product placement in documentary-style reality television programs. Meanwhile, in today's "Do-It-Yourself" (DIY) culture, audience members share their self-produced news, promotions, and entertainment in social networks, weblogs, and virtual worlds.

Journalists, advertisers, and entertainers share a common craft of storytelling. Traditionally, however, the stories they told were distinct in terms of style, content, and intended effects. Professionals in each discipline established different codes of ethics and standards. Standards for journalistic and commercial speech have often been guided by a sense of social responsibility to not only report the truth, but also to report it thoughtfully and conscientiously. In addition to these moral obligations, the distinctions traditionally made in news stories and commercial messages were supported by legal and economic sanctions. If journalists or advertisers were caught making false claims, their reputation would suffer and they would lose customers. In some cases, they might even be sued or fined. In novels, films, television programs, and other entertainment fare, however, elaborate fantasies and fabrications

are big business. Audiences often seek out entertainment as a means to escape reality. Thus, entertainers traditionally enjoyed greater creative license in their storytelling, while journalists, marketers, and advertisers were expected to make distinctions among fact, fiction, and opinion to varying degrees.

Audience members may come to each traditional category of storytelling with expectations that those delivering the messages will conform to these disciplinary conventions. Contemporary infotainment and related hybrids, however, blur the boundaries between fact and fiction by definition, creating a conflicting mix of values, conventions, and audience expectations. This chapter addresses the challenges of establishing appropriate ethical standards for these blended story types and proposes a voluntary disclosure system to assist storytellers and audiences in distinguishing fantasy from reality in the infotainment age.

Tall Tales

Her name was Bree, a shy home-schooled teenager with a web camera. In the summer of 2006, she started posting video web logs (v-blogs) on YouTube.com under the user name lonelygirl15. Her videos were a hit, attracting thousands of viewers. The problem was none of it was real. In early September, it was revealed that lonelygirl15 was a 19-year-old actress hired to play the part of a 16-year-old.²

In 2007 Margaret B. Jones wrote *Love and Consequences*, a critically acclaimed memoir about growing up among gang-bangers in South-Central Los Angeles as a half-white, half-Native American foster child who ran drugs for the Bloods. Within a week of publication, her own sister came forward with the real story of Margaret Seltzer's (aka Ms. Jones') middle-class, suburban childhood in Sherman Oaks, California.³ Just a week before Seltzer's memoir was exposed as a fake, author Misha Defonseca, whose real name is Monique De Wael, issued a statement admitting that the Holocaust memoir she published 11 years earlier was fiction.⁴ De Wael's book, *Surviving with Wolves*, had recently been turned into a film. That same year, James Frey was revealed to have duped readers, his patron Oprah Winfrey among them, with his fictionalized memoir, *A Million Little Pieces*.⁵

In 2008, what appeared to be candid home videos circulated on the Internet seemingly demonstrating that cellular phone radiation was so strong it could pop corn. In less than three weeks, the videos had been viewed more than four million times. Wired.com debunked the video as fake with the help of physicist Louis Bloomfield, speculating that a video-editing program or hidden heating pads caused the popcorn to pop. Bluetooth headset retailer

Cardo Systems confessed that it had commissioned a marketing agency in Paris called Last Fools to make the videos.⁶

Falsehoods and fabrications have a long history in storytelling. In the late eighteenth century, English poet Thomas Chatterton passed his own work off as the verse of medieval "secular priest" Thomas Rowley. The American colonial press ran hoaxes, as did the early penny papers, including an infamous article published in the *New York Sun* in 1835 claiming that astronomer John Herschel had found life on the moon. In 1971 Clifford Irving was found guilty of forging the biography of reclusive millionaire Howard Hughes.

Not all story falsehoods and fabrications raise ethical concerns. Indeed, audiences expect fictional stories in books, television programs, films, and other forms of entertainment. What makes contemporary fabrications of particular concern is their rapid increase in frequency, sophistication, and proliferation. Of even greater interest is the complacency with which storytellers and their audiences are reacting to what would have been called ethical breaches not so long ago. In the following section we will explore the factors that have contributed to this dramatic increase in volume and acceptance of hoaxes, forgeries, and deceptions in entertainment and other media forums.

Technology and the Attention Economy

Economists and futurists have argued that we have moved into a period completely different from the past era of factory-based mass production of material items. During that era, talk of money, prices, returns on investment, laws of supply and demand, and so on made excellent sense, but today's economy is said to be driven more by the production and exchange of information than by the production and exchange of material goods. The statistics documenting the information proliferation in our society are impressive. For example, a typical weekday edition of the *New York Times* contains more information than the average eighteenth-century Englishman encountered in a lifetime. In a mere ten years, 1980 to 1990, the worldwide production of books increased by 45 percent. And it is estimated that a new site emerges on the World Wide Web every minute.⁷ Many names for the new era have been invoked: the Information Age, the Third Wave, the move toward cyberspace. Beginning with the advent of television and large mainframe computers, and continuing with personal computers, the Internet, and wireless products, this era is fueled by revolutionary technological advances in electronic data and communication technology.

Some theorists, however, argue that it is not this abundance of information, but the competition for attention that this abundance creates, that drives

the economy. Economist Michael Goldhaber uses the term “the attention economy” to describe this evolving era. He explains why he does not see information itself as a driving economic force:

Information ... would be an impossible basis for an economy, for one simple reason:

economies are governed by what is scarce, and information, especially on the Net, is not only abundant, but overflowing. We are drowning in the stuff, and yet more and more comes at us daily.... What would be the incentive in organizing our lives around spewing out more information if there is already far too much?⁸

It is this overabundance that leads to growing competition for what is increasingly scarce — our attention. Consumers today have more choices than ever in everything from television programs to automobiles to breakfast cereals. Nowhere is this more evident than on the Internet. A few keystrokes will direct Net surfers to numerous Web site options for information on countless products, services, and topics. Even though our choices may be plentiful, our time and money are limited. It seems as if everyone wants some of our time and money, but they must first break through the clutter and capture our attention.

Like money, attention has *instrumental* value because it can get you other things that you might want. Persuasion is often described as a process, and attention is always the first step. Thus, many of those who want your attention may really want something else. Advertisers are vying for your attention so they can try to persuade you to buy their products or services. A nonprofit organization may want your attention to persuade you to volunteer or give money. Your friends may want your attention to persuade you to do them a favor. Attention, however, also has what is called *terminal value*, meaning that many people value it for its own sake. Consider what kids will do to get their parents' attention or, worse, what people will do or say to get on tell-all, show-all talk shows. Even the phrase “pay attention” suggests that attention has inherent value. We value both the attention we give and the attention we receive.

The Entertainment Principle

Attention may be valuable, but money can't buy it, at least not directly. Even if you paid people millions of dollars, they could not guarantee you their attention. Most of us can recall books we have tried to read, lectures we have tried to listen to, and programs we have tried to watch. No matter how hard we try, there are times when our minds still begin to wander. And this is where entertainment comes in. If something is boring, we don't pay atten-

tion to it. Entertainment captures attention. As a result, an attention economy is also an *entertainment economy*. Whether you are making a film or an advertisement, if you do not hold the interest of your audience — that is, if you do not entertain them — they will stop paying attention.

Ironically, although you may not be able to pay people to get their attention, you may be able to get them to pay you for it. People will pay for entertainment. And as long as you keep people entertained, you will have their attention. Consumers pay for newspapers, magazines, and books to read, movies to watch, and music to listen to. But you had better have something good to offer if you expect them to give you their attention *and* their money. This competition for attention has helped fuel the rise of infotainment. Whether writing a script, news story, or advertisement, your goal is to capture attention. Drama and intrigue offer a better guarantee of engaging audiences than do facts and thoughtful analysis. Thus, today's media face greater pressure to be entertaining than to be honest and accurate.

Traditional economic theory maintained that brands were built for the long term, and that consumer trust was essential for brand loyalty. Accuracy and credibility were viewed as critical for consumer trust in news and other commercial media. Today, however, many companies introduce brands anticipating a limited life expectancy, thereby reducing market incentives to adhere to traditional standards. Furthermore, it may be that audiences have become so bored with predictable products and stories that they are willing to tolerate some falsehood if it makes for a more entertaining experience. As a result, by the turn of the twenty-first century, audiences no longer had clear markers to distinguish one type of communication from another.

Reality Entertainment

Perhaps nowhere is the blurring between fact and fantasy more evident than in the rise of reality television programs. Books and videos presented either implicitly or explicitly as autobiographies, memoirs, and candid home footage can also be viewed as forms of “reality” entertainment. One of the attractions of these entertaining “documentaries” is the supposed “reality” of them — they are supposed to be unscripted, presenting unplanned situations and reactions. However, most reality entertainment isn't nearly as “real” as it pretends to be.

Reality shows have been accused — and, in some cases, found guilty of — manufacturing quotes, constructing crushes and feuds, stitching scenes together out of footage shot days apart, and planning whole episodes in multi-act “storyboards” before taping. Of course, most television programming is fictional. Certainly fabricating events and characters isn't inherently uneth-

ical in entertainment. The difference is that in dramatic shows one can expect the audience to understand that what they see on the screen doesn't necessarily reflect the reality of the actors' lives; the same, it is argued, cannot be said for edited and contrived scenes on reality shows.

Reality programs may not have line-for-line scripts (although reality writers have charged that Paris Hilton was fed lines on *The Simple Life*). However, according to Jeff Bartsch, a freelance reality-show editor, there are many ways of using footage to shape a story.⁹ Bartsch worked on *Blind Date*, a syndicated dating show that features hookups gone right — and horribly, comically wrong. If a date was dull or lukewarm, the editors would spice up the footage by running scenes out of order or out of context. To make it seem as if a man had been bored, they would cut from his date talking to a shot of him looking around, unresponsive — even though the scene was shot while she was in the restroom and he was alone. “You can really take something black and make it white,” Bartsch said.¹⁰

On the ABC reality show *The Dating Experiment*, one of the female participants disliked one of her suitors, but the producers thought it would make a better story if she liked him. So they sat her down for an interview. Who's your favorite celebrity? they asked. She replied that she really loved Adam Sandler. Later, in the editing room, they spliced out Sandler's name and dropped in audio of her saying the male contestant's name. This trick, said *Dating Experiment* consultant Todd Sharp, is called Frankenbiting.¹¹ Thus, the most obvious ethical question raised by such blatant fabrications is whether reality entertainment should be labeled “reality” at all.

Producers are quick to emphasize that editorial devices can be used not just to deceive, but also to tell a story more clearly, entertainingly, and quickly. News producers, documentarians, and journalists all selectively edit raw material and get accused of cherry-picking facts and quotes. However, on an entertainment show, the pressure to deliver drama is high, and the standards of acceptable fudging are shadier. Reality producers say they often have to shuffle footage to tell a story concisely or make a babbling interviewee coherent. “We're using things said at different times, put together to imply a statement or observation that may not have been succinctly demonstrated,” says J. Ryan Stradal, who was a story editor on *The Bachelorette*. “That's where Frankenbiting may come in.”¹² Or producers may withhold information — such as downplaying a budding romance — to create suspense. In this case, the ethical question is whether dramatic editing is wrong if it captures the essence of the moment.

Recently, storytellers have begun to push these limits even further. As we have discussed, seemingly “real” books, such as *Surviving with Wolves*, and videos, such as the lonely girl series and the phone corn-popping hoax, are often completely fabricated.

Consequentialism: Is All Fair in Love and War Stories?

As already acknowledged, not all story falsehoods and fabrications raise ethical concerns. Audiences expect fictional stories in books, television programs, films, and other forms of entertainment. The ethical concern lies in cases where audiences are unable to discern fact from fiction; and, as the examples we have shared illustrate, many contemporary storytellers have knowingly blurred this distinction. Such deception isn't new; it's the spirit in which it is done now — the ease, ubiquity, moral indifference — that seems to have changed. Often the deceivers do not appear to feel that they have done anything wrong.

Monique De Wael continues to defend her fabricated Holocaust memoir. “Ever since I can remember, I felt Jewish,” she said in a statement issued by her lawyers. “There are times when I find it difficult to differentiate between reality and my inner world. The story in the book is mine. It is not the actual reality — it was my reality, my way of surviving.”¹³

Such fabricators also appear to have little trouble enlisting the support of others. The creators of the lonelygirl15 videos were Ramesh Flinders, a screenwriter and filmmaker from Marin County, California, and Miles Beckett, a doctor turned filmmaker. The project was developed much the same way as more traditional commercial films or television programs are produced, including casting, contracts, and film crew. They enlisted the services of Grant Steinfeld, a software engineer in San Francisco. “We were all under N.D.A.'s,” Steinfeld said, referring to non-disclosure agreements the cast — and their friends — were asked to sign to preserve the mystery of lonelygirl15. “They had a lawyer involved.”¹⁴ Amanda Solomon Goodfried, an assistant at the Creative Artists Agency, which eventually represented the lonelygirl team, is believed to have helped Flinders and Beckett conceal their identities. Moreover, Goodfried's father-in-law, Kenneth Goodfried, a lawyer in Encino, filed to trademark “lonelygirl1.”

Consistent with the artistic mindset traditionally reserved for fictional stories, these content creators appear to feel these hoaxes and lies fall within the purview of fair creative license. If they are guided by any moral sense, it appears to be an ends-justifies-the-means, or consequentialist, philosophy that is almost self-righteous in its dismissal of audience members' interest in knowing the truth from falsity. In her gang memoir, Margaret Seltzer defended her decision to lie, saying the story needed to be told and was based on accounts of real experiences. She said, “I just felt that there was good that I could do and there was no other way that someone would listen to it.”¹⁵ Her ends-based argument and dismissal of audience interests should not be accepted as an ethical justification for deception. One cannot simply state

prudential interests and get a free pass when it comes to the interests of others, as that simply substitutes one's self-interest for ethics.

In the Netherlands, Patrick Lodiers offered a similar justification for the Dutch reality program he hosted, *The Big Donor Show*. The show was designed as a hoax in which a terminally ill cancer patient pretended to select one of three patients to receive her kidney. Viewers watched testimonials from the three Dutch contestants, ages 18 to 40, and could text message advice to the donor to help her decide who should receive the life-saving operation.

According to one blog account, Lodiers said one aim of the program was to bring about a change in Dutch law surrounding transplants. At present, only family or friends of the recipient can donate organs, a policy that greatly reduces their availability in the Netherlands. "It is reality that is shocking," he said, "because so many people die each year in the Netherlands while waiting for a kidney, and the average waiting time is four years. But we are not giving away a kidney [on the show]. That would be going too far even for us."¹⁶

Even more interesting is how some industry professionals not only defend, but also praise, these deceptions. According to the news website, News.Scotsman.com, the makers of *The Big Donor Show* were "widely praised when they revealed [the program] was a hoax aimed at raising awareness of the plight of patients waiting for organs."¹⁷ In commenting on the hoax in his blog, marketing communication consultant Sam Smith lauded this ends-justified approach:

There are two wonderful thing[s] about this little stunt. The first is that you could almost believe it. I mean, given the kinds of things that *do* happen in pursuit of a buck, you could imagine this kind of show happening. The second is that it was conceived as a way to attract attention to a worthwhile cause.... I like the idea here. It's over the top, to be sure, but if you're trying to call attention to a life/death situation, which is worse: this tasteless, offensive display (which, by the way, called the whole damned world's attention to your cause) or a tasteful, conventional, traditional campaign that gets a few hundred signatures on a petition while hundreds continue to die?¹⁸

In many cases, these hoaxes have been admired simply for their ingenuity and marketing savvy. Arguably, one of the first and most famous Internet hoaxes was the viral promotion of the horror film, *The Blair Witch Project*. The movie, made for \$22,000, grossed \$248 million at the box office by generating massive pre-opening "buzz" through video clips circulated on the Internet.¹⁹ The rumor was that a camera had been found with real footage taken by three college kids who became lost in the woods while investigating stories about a witch. According to Internet marketing writer Charles Brown, "the hoax took on a life of its own.... By the time the film was released, it had built up fever-level anticipation."²⁰ In his review, Brown called the

hoax "remarkable" and "the stuff of legends." He questioned whether such campaigns must be designed as hoaxes, rather than as fictional stories, to be successful, but did not express any ethical concerns about the strategy. Instead, he appeared more concerned about whether such stories could be used to promote many different products or services. The three men who created *Blair Witch* think they can. They have formed a marketing company called Campfire, which creates viral marketing campaigns for advertising agencies like the one they used to make their movie such a huge success.

On the face of it, audience members are cheated and deceived when they are led by the communicator to expect one thing — an autobiography, a candid home video on YouTube, a reality television show depicting "average" people spontaneously reacting to contrived situations—but are given another—fabricated, product-placed, manipulated, and heavily edited stories that misrepresent the actions and intentions of fantasy characters and low-paid actor-wannabes. Audience members are thereby deprived of opportunity or freedom when they have no way to gauge the intent of a message or when they are given subtle messages without the ability to rationally consider what is contained in the messages.

Yet the possibilities of these harms, inherent in media hybrids, must be balanced against audience members' desire for surprise or suspension of disbelief. Journalistic hoaxes and published rumors, popular in the mid-1800s, were criticized by journalists, not by audience members. According to Fred Fedler:

When Americans realized that they were fooled, many were embarrassed—but not angry. Most people were frightened for only a moment or two, but some actually enjoyed it, just as millions of Americans continue to enjoy the frightening movies produced by Alfred Hitchcock and the books written by Stephen King. Moreover, readers continued to talk about the hoaxes for years. They also continued to buy copies of them, so the sale of some stories actually increased after they were exposed as hoaxes.²¹

Reactions to contemporary hoaxes, such as the lonelygirl and the cell phone corn-popping videos, have been similar. Although some audiences express outrage about being duped, these hoaxes generate more admiration than criticism for their deception. In their reviews, industry analysts, critics, and news reporters tend to quickly dismiss ethical concerns and focus more on analyzing the entertainment and marketing value of the stories. The Internet and other new media have certainly made it easier to fabricate and disseminate these false tales, and such advances also may also help explain why so many industry professionals, and even audiences, embrace them. New media have also contributed to the rise of another practice that further exacerbates the blurring of fact and fiction in contemporary entertainment: product placements.

The Rise of Product Placements

The entertainment business as we know it today would not exist without the corporations that have supported it, typically through advertising. Some estimates say 40 percent of the revenue stream for the entertainment industry comes from advertisements. Today advertising serves as a primary source of revenue not only for newspapers, magazines, television, and radio stations, but also for Web sites and sporting events. Although audiences will pay for entertainment, entertainment providers still often find it difficult to make a profit only from the sales of that content.

Newspapers and magazines, for example, rarely make money from publication sales. Their profits usually come from advertising revenues—from advertisers who pay to take advantage of the attention that the publication captures. In fact, the content that actually captures your attention is often provided for free. Broadcast television and radio have always been “free” for their audiences. That free entertainment is provided in an effort to capture audience attention for advertisers. Traditionally, however, the distinction between entertainment and the corporate advertising content that supported it was more distinct. As audiences become more adept at filtering out traditional advertising, efforts to infuse corporate messages more directly into entertainment and other media content are becoming increasingly important, both as a platform for advertisers and as a revenue stream for entertainment media.

Global paid product placement spending in TV, film, and other media surged to \$2.21 billion in 2005. Infusing organizational messaging more directly into editorial and entertainment programming content not only lends credibility, but also may provide companies greater assurance that their messages are not filtered out. According to Jeff Greenfield, vice president of 1st Approach, a strategic media marketing company, “Since the explosion of the Internet and new technology like TiVO, viewers are demanding fewer interruptions.”²² With more than half a million households using the TiVO-style personal video recorders, users skip commercials 72.3 percent of the time—a much higher rate than those watching live TV or those using videotape recorders.²³ As a result, cutting-edge companies eschew traditional advertising in favor of media relations and other non-traditional entertainment-infused strategies, such as celebrity endorsements and product placements in films, television programs, and at celebrity events and photo shoots.

Following the analogy of using a spoonful of sugar to help the medicine go down, embedding products in entertainment can be simultaneously more captivating and more subtle than traditional advertising, thus making it easier to “swallow.” Marketers hope that audiences will not only pay more attention to placed products, but also be less guarded and more open to influence than they are when exposed to direct commercial messaging. As audi-

ences become increasingly savvy and sensitive to these placements, however, such ploys become less effective, and marketers must search for even more creative ways to promote their products. One way they are doing this is through entertaining, but deceptive, YouTube and viral videos, such as those for *Blair Witch*, the lonely girl series, and the phone-popping-corn hoax. In some cases, this deception is simply used to gain an audience for the stories themselves; in others, it is designed to draw attention to consumer goods, such as the Bluetooth headsets marketed by the creators of the popcorn hoax.

Infotainment and News Media

Companies are not the only ones having difficulty getting their messages seen and heard. Concerned over declining audiences for news programs and publications, many news organizations have turned to “infotainment” strategies. Today’s editorial decisions are often based as much on a story’s ability to entertain audiences as to inform them. A 2001 report by Thomas Patterson found that soft news has dramatically increased in the twenty-first century. News stories lacking public policy content jumped from less than 35 percent of all stories in 1980 to roughly 50 percent by 2001. Stories with a moderate to high level of sensationalism rose from about 25 percent of news stories in the early 1980s to a more recent tally of 40 percent. The regular features of network news magazines *Dateline NBC*, *ABC Primetime Live*, *CBS 48 Hours*, and the made-for-soft-news spinoff *ABC 20/20 Downtown*, are notorious for their soft news formats.²⁴

Perhaps even more disturbing is the emergence of paid product placement in news publications and broadcasts. In July 2008, the Fox affiliate in Las Vegas, KVVU, agreed to a six-month promotion for McDonald’s in which news anchors sat with cups of McDonald’s iced coffee on their desks during the news-and-lifestyle portion of their morning show. Executives at the station said the promotion was meant to shore up advertising revenue and, as they told the news staff, would not influence content. However, *The New York Times* reported that the ad agency that arranged the promotion said the cups would most likely be whisked away if KVVU chose to report a negative story about McDonald’s.²⁵ “If there were a story going up, let’s say, God forbid, about a McDonald’s food illness outbreak or something negative about McDonald’s, I would expect that the station would absolutely give us the opportunity to pull our product off set,” said Brent Williams, account supervisor at Karsh/Hagan, the advertising agency that arranged the deal.²⁶

Confounding Audience Expectations

In sum, we are seeing a convergence of forces that make it increasingly difficult for both content creators and their audiences to distinguish among

news, entertainment, and commercial speech — in other words, to know when messaging is objective and truthful, promotional, or possibly fabricated or fictional. Such practices inadvertently — and, arguably, often even intentionally — create confusion for audience members. According to Philip Patterson and Lee Wilkins, “By blending information and entertainment into an internally coherent package, the possibility for abuse of an unsuspecting audience exists.”²⁷ To understand how this can happen, we must look to the mass-communication theory of “uses and gratifications.” People bring something to the message, and what they bring affects what they take away.

For example, seeking news and information is a common use of media, with an expected gratification of getting information necessary for citizenship. Entertainment has its own expected gratifications—escape, fantasy, mood management—but it can also often serve an informative function regarding popular culture and behavior. The problem arises when entertainment provides fundamentally flawed information about important political figures or about important institutions in U.S. culture, such as the court system or medical practice.²⁸

The potential for individuals to glean misinformation from fictional storytelling has always existed. Much media research has focused on studying what audiences may inadvertently learn and imitate from fictional stories. What makes contemporary infotainment more alarming is that the *intentional* blurring of fact and fiction almost guarantees that audiences will be misled. Indeed, in many cases deception is the storytellers’ intent, as with fabricated biographies and viral hoax videos. As discussed earlier, reality programs have been similarly accused of deception and fabrication. Even product placement is contrived to suggest to audiences that characters, and the actors who play them, endorse the products featured in fictional stories.

As the lines between entertainment, journalism, and commercial speech blur, so have the ethical principles that guide them. This confusion is exacerbated by user-generated content contributed by individuals with no grounding in or allegiance to ethical conventions in any of the traditional media disciplines. The next section reviews some of the traditional standards and ethical philosophers and then explores how they might be applied to storytelling in the infotainment age.

Traditional Communication Boundaries and Standards

More than a thousand years before the ability to speak to the masses was technologically enhanced, Plato observed, “The orator has the ability to speak against everyone on every subject, so as in gatherings to be more persuasive, in short, about anything he likes, but the fact that he has the ability to rob

doctors or other craftsmen of their reputations doesn’t give him any more of a reason to do it. He should use oratory justly.”²⁹ Plato was so concerned about the power that politicians, orators, and teachers had over citizens less schooled or savvy that he argued throughout *The Republic* that stories and poetry, be they fact or fiction, should be accessible by citizens only if those tales promoted the good of the community and proper respect for the gods. Plato concluded:

So this is what the skilled and good orator will look to when he applies to people’s souls whatever speeches he makes.... He will always give his attention to how justice may come to exist in the souls of his fellow citizens and injustice be gotten rid of, how self-control may come to exist there and lack of discipline be gotten rid of, and how the rest of excellence may come into being there and evil may depart.³⁰

Arguments for ethical standards in mass communication have a long and prestigious history in Western democracies that have been shaped largely by the theories of libertarianism and social responsibility theory. Together, these theories have been used to shape traditional standards, along with accompanying codes of ethics for news, public relations, advertising, and entertainment. While some argue for a return to traditional standards, that seems unlikely and undesired by audience members as well as practitioners. With the blurring of media boundaries, Plato’s philosophy speaks to the matter more directly than the traditionally separate ideas of ethical message formation and delivery.

Mass Communication Ethics for a New Era

Mass communicators are in a position to influence audience members. There must be some guiding principle to define which uses of this power are ethical and which are not. We have identified that essential guiding principle as disclosure.

Our conclusion that disclosure provides the essential ethical component to addressing blurred story types and distinctions is based on the historical fact of humans as storytellers. As storytellers, we have shared ethical expectations long before the conventions of the more recently invented specific categories, such as news, opinion, and entertainment. We are, above all, “storytelling animals.”³¹ For thousands of years, storytellers have successfully communicated to audience members what they can reasonably expect. Based on the writings of Walter Fisher, the narrative paradigm is composed of narrative probability — what constitutes a story coherent within itself — and narrative fidelity, how well the story being told corresponds with other beliefs held by the audience to be true.³² “Convention ... aids in establishing narra-

tive probability. Audiences or readers have certain expectations about what they are about to receive."³³

Deception and Disclosure

The harm principle provides a basis for making that determination. At an ethical minimum, it is wrong to cause unjustified harm. Harms that are caused audiences in the blurring of message boundaries include deception and cheating.³⁴

Audience members are deceived and cheated when they have been led to falsely expect that they will be given a story that is accurate (to the best of the storyteller's ability). Deception is a *prima facie* wrong because it deprives audience members of their right to establish the offered narrative in the context of their other beliefs. If they believe that the story is true to the storyteller's best ability, they will make fidelity assumptions of one sort; if they believe that the story is fiction or possibly not true, they contextualize it differently. Deception is also parasitic on the social interaction in community. Unless given good reason to think otherwise, we operate on the assumption of truth-telling.

But requiring full disclosure at the beginning of a narrative begs the question of suspense and intrigue that often accompanies stories designed to entertain. Sometimes, in an entertainment context, people want to be deceived. The important element is that audience members should always be in control of whether they "know the truth" or not. They should have a way to discern a storyteller's intent and values.

Proposed Framework for Voluntary Disclosure

One model that might be consulted for how such disclosure could be facilitated is a voluntary licensing arrangement that was created to address similar confusion regarding copyrighted materials. Any creative work is automatically copyrighted when it is produced. You do not have to file any paperwork or make any claim to receive a copyright. A copyright means all rights reserved. No one can legally use or adapt the work without gaining explicit permission from the copyright holder. New media, however, have facilitated not only a blurring of fact and fiction, but also a blending of old and new creative works. For example, it has become increasingly common for entertainment artists to digitally sample, alter, or parody older work in creating new music, videos, art, and images. If these artists did not get permission to use the original works, they may be guilty of copyright violations. The courts have ruled that, in some cases, a work that adapts or transforms an original creation falls within acceptable limits of parody or fair use and, therefore, is not a copyright violation, but there are no clear standards for when this might

apply. As a result, it can be difficult to know when permission is legally necessary. In addition, with proliferation of content on the Internet, it can be difficult to track down who created a work and ask them for permission.

These concerns inspired a group of legal experts and industry executives to develop a system that would enable individuals to protect their rights to their creative work, as well as their rights to allow others to legally share and build upon that work, if they so wished. They formed a non-profit organization called Creative Commons (CC) and released several copyright licenses known as Creative Commons licenses.³⁵ These licenses, depending on the one chosen, restrict only certain rights (or none). The Creative Commons licenses enable copyright holders to grant some or all of their rights to the public, while retaining others through a variety of licensing and contract schemes, including dedication to the public domain or open content licensing terms. The intention is to avoid the problems current copyright laws create for the sharing of information.

Creative Commons defines the spectrum of possibilities between full copyright ©, meaning *all rights reserved*, creative commons licenses (cc), meaning *some rights reserved*, and the public domain (pd), meaning *no rights reserved*. When you see the (cc) symbol, you can look up the license type to find out what uses and restrictions the creator has placed on the work. A growing percentage of the entertainment that found on the Internet, such as music on MySpace.com and videos on YouTube.com, is covered by these licenses. Although such licensing does not completely resolve the debate about intellectual property rights versus creative freedom, it does appear to offer some relief.

It might be possible to develop a similar ethical system for voluntary disclosure in "storytelling." Borrowing standards from existing ethical codes for journalism and commercial speech, a system of symbols could be developed for disclosing which standards an author/artist applied in the creation of a work. For example, a symbol could be created for a journalistic code of ethics, a public relations code of ethics, and so on. Symbols might even be created for the specific intent or nature of a piece, such as a symbol signaling that a work is promotional in nature (i.e., advertisement), contains some promotional elements, or was promotionally funded. Likewise, a symbol might warn audiences when "creative license" (i.e., exaggeration or even outright fabrication) may have been taken in the development of a piece. As with Creative Commons licenses, content creators could label different work with the appropriate symbols. When audiences saw the symbols, they could look them up for details on what standards had been followed. Although choosing to label one's work with these symbols would be voluntary, repeated use could result in conventional expectations, just as repeated behaviors of mass communicators created the conventional expectations of a century past.

A more sophisticated approach might even encourage authors to create their own personal statements about their work, which could be archived in a disclosure database available online. One symbol might be created to alert audiences that details on a given work were available at the disclosure site. This might be an option for those who want to maintain a certain amount of mystery or have fun with a hoax, but still provide people with the ability to ultimately obtain the "truth" or an explanation of a given work.

Of course, like the Creative Commons licenses, such a system would not be perfect. There are so many different intents, uses, and types of creative works that it would be impossible to create an exhaustive list of symbols. The system would need to be kept reasonably simple, and thereby might provide only limited, rather than full, disclosure. But even the most transparent mass communication that adheres to traditional standards provides only limited disclosure. A news story may include information about why a source is being presented without identification, but audience members will never know the persuasive techniques used by the journalist to develop that anonymous source.

Such challenges are inherent to the development and adoption of any set of ethical standards or practices. The increasing use of Creative Commons licenses suggests that content creators are open to the idea of voluntary systems that may help them and their audiences better negotiate the new media world. Ethical codes always fall short of our ideals in providing clear, impeccable standards that are uniformly adopted by an entire community. Nonetheless, they can serve as valuable guidelines that often do become widely embraced. Intentionally or not, mass communicators are in the process of shaping conventional behaviors and audience expectations for the future. That shaping ought to account for the power that storytellers have to influence public discourse and, ultimately, to serve the public interest.

NOTES

1. With thanks to University of South Florida, St. Petersburg, student Amanda Smith for her research assistance for this chapter.
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11. Cited in Poniewozik, "How Reality TV Fakes It," para. 2.
12. Cited in Poniewozik, "How Reality TV Fakes It," para. 10.
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30. *Ibid.*, 84.
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