The consequences of deception

Unwarranted use can damage public trust in journalists

By Denis Elliott

Deception is a red flag among journalists these days. Some editors avoid discussions about deception by saying that their staffs are clear-cut on the issue. But, policies never die. Other editors, perhaps more honest, admit that their reporters are deceptive occasionally to get a story and hold up dramatic, often self-serving stories, to illustrate how the technique is sometimes worth it.

The editors are correct in agreeing that deceptive techniques are troublesome and in need of justification when they are used. But, without a clear understanding of what is wrong with deception and without an understanding that journalistic deception means more than just misleading, many deceptive practices will continue without justification for their use.

Deception, for purposes of this discussion, any action or inaction which is intended to mislead the receiver of the communication. This definition is purposely broad to cut through the rationalizations of "I didn't say I was a doctor; I just didn't say I wasn't." Deception by omission is an dangerous as deception by commission.

Deceptive practices cannot be justified by pointing to the good story that resulted from the underhanded work any more than lying can be justified simply by showing that you liked the results of your lie. There are other long term costs of dishonesty considered along with the short term success.

As a general rule, deceptive practices are evil because they are "parasitic." Deception, like lying, only works because people expect other people to be truthful with them. We expect that newsmen are truth-tellers, indeed, a student and not a law enforcement officer or an undercover reporter from the local daily. We expect the instructor to be a teacher and not a Soviet spy. We expect that people who act as if they sympathize with us in a time of crisis are people who are genuinely supportive and interested in our welfare. When deception works, it works only because we generally take people at face value.

This sort of truth is necessary for individuals to relate to one another in society. It takes too much energy and psychic energy to be suspicious all the time. We develop judgments based on a person's role or actions and are taken in, shocked, angry and surprised when we find we have been deceived.

Perhaps the shock and anger is greater when we discover that the deceptive party is a journalist. An undercover law enforcement officer or a BBC reporter may be a threat to a criminal, but a representative from the powerful press is a criminal to all. Journalists have the power to take an unguarded statement or action and all the whole community.

There is also something strangely incongruous about the notion of journalists deceiving people. Story subjects, sources and readers alike trust journalists. They trust that journalists will listen carefully, interpret fairly and print accurately. If it were not for this public trust in the practice of journalism, the journalistic product would be of no value.

The public is then confronting the identity because she/he understands that the journalist role might get in the way.

The primary level of investigation notes this misrepresentation as a low level type of deception. Supposedly, the journalist might have happened upon the same information when truly being "off the job." She/he is not acting in any way that is different from a normal public servant. Thus, deception is acceptable if the reporter is doing so merely when checking out the possibility of a story. If there is sufficient evidence, the investigation is dropped. It is morally permissible, but not obligatory, for the journalist to tell the merchant that she/he was checking out a lead. No information was used in print. No privacy was violated in the process. No relationship is fostered by the journalist. The potential story subject is not affected in any way different from the public actions expected. No story is printed.

It is obligatory for the journalist to provide proper identification before the investigation proceeds past this point and certainly before any information is recorded for publication. When the story finally reaches the stage of publication, she/he has a right to know that this is the case. People may react differently to the story, perhaps realizing the new actual facts, even from their general public expectations. This freedom to act in a relaxed manner is something I consider a privacy need. One's public self may naturally be a little more circumspect and controlled than the self shown home, but even that public self is less protected and less protective than the self presented for on the record interviews. It is the fear of losing control over the use of self which is threatening. The uncovering of the deeper truth is what's so ominous.

I can imagine a situation where I am at the local airport and a pilot who is a suspect to fly a small plane and been approached by a friendly stranger. After some discussion, the question of who the pilot is arises. Suddenly, he is aware that he is a suspect and wants to interview me for a story. Now, he may have suddenly thought of that idea, or he may have spent the last two days hanging around the airport looking for the right subject for his feature on student pilots. That fact is irrelevant and I won't feel deceived as long as he makes his intentions known before an on-the-record interview begins.

The journalist may be following up a tip in getting out a story about a person misrepresenting himself as a fishing guide. He is being advertised at an unreasonably low price. The reporter may call a firm and ask if the owner will be in and then go out for an interview which might be impossible to get otherwise. The reporter might go to a rental office and find himself in his/her best identity of being a student, a Black, Hispanic, but without the adjacent identification of a student, a Black, Hispanic, identifying topics which will be understood and appreciated by the reading public. The speakers might be more protective of what they say if they know it is "on the record." They will be more honest, more candid.

Ethically, the reporter is义务 to provide journalistic identification as quickly as possible. The journalist did not start out intending to deceive, it is difficult to do so with the power of the press with no sensitivity to the expectations of persons attending the meeting. The press has a responsibility to protect those they encounter just as the most powerful party in any power relationship interest.

Passive misrepresentation should be stopped as quickly as possible. The reporter should identify him/herself a soon after the meeting if not before, and should work at that point to develop as much usable material as possible through checking out the subject in the context of the argument against the need for the reporter to identify him/herself — "The reporter is there representing the public and trying to find something so that one can share it with others. He has no need to be more trustworthy than the person he is interviewing." — is well countered even by the pragmatic argument. If one's public self is not clearly identified as the person who can share good news or bad in trust, the public good suffers. We should be more honest with the public than with ourselves.

If nothing else, the reporter's possible misrepresentation of himself/herself as a person misrepresenting something said at a meeting, the effect is not nearly as great as that of the misrepresentation. The reporter misunderstands something and passes on this misunderstanding or on the rest of the community through the publication.

Active misinterpretation, the next step up the deception scale, is an even more serious form of deception because now the reporter is doing more than collecting information with the intent of publishing. He is actively making the story subjects or sources think that she/he is a supporter of the story in the stage of planning. There is even worse misrepresentation in the stage of planning. The reporter is going out of his/her way to elicit trust that goes beyond the normal level of relationship.

A particularly insidious story comes to mind. In one case, a reporter was planning to show how lack of parental support results in teenage suicides and suicide attempts. The reporter interviewed over a hundred parents about the children's lives. The reporter em-
End vs. means
Comparing two cases of deceptive practices

By Deni Elliott

William Coughlin, managing editor for the Wilmington (North Carolina) Morning Star thought it was important to justify his staff's unusual action in creating a false news story, and at the same time a team of reporters and editors showed that people looking and acting like terrorists could infiltrate security at the Camp Lejeune Marine base.

Coughlin justified the mock terrorist raid in the June, 1984 issue of Washington Journalist Review, by saying that "... conducting the operation was the only way to show the precise state of security, or lack of security, at the base." He believed that the situation was extreme enough to create the news, I believe it was extreme enough to justify the deception, justifying that the line was not crossed.

1. What does the news reader need this information for?

They need the information primarily to further their public discussion on terrorism. Dealing with terrorists' tactics is a new phenomenon for the U.S. government and its citizens. Each terrorist bombing or kidnapping is met with shock and general disbelief, yet terrorism is an international problem from which the U.S. clearly cannot escape. Informal public knowledge and discussion, the basis for the democratic way of life, is necessary in trying to better deal with terrorism in the future and in countering terrorist action. As a result, it was possible that they would be caught.

Consequences

No matter how well the story illustrates the apathetic student body or the unacceptance of practices by the instructor, the teacher and the students will be forgiven by unknowingly and unwillingly becoming a witness for the journalist. The feelings of betrayal and lack of trust in the public will continue to grow larger after the facts of the story are forgotten.

Masquerading, which falls at the far end of the deception continuum, is the most serious form of deception. When a reporter masquerades, she/he role plays, becomes something she/he is not for the sole purpose of getting a story. The reporter pretends to be an aide in a nursing home, a pet owner approaching the human society with a sick animal, a recently transferred high school student, a woman considering an abortion. In reality, the journalist is masquerading playing. "Undercover Reporter at Midleton High School" and similar stories are dramatizations. But, the overuse of disinformation that students are smacking dopes between classes pages against the serious lack of trust that the university story subjects and the readers feel for the newspaper that uses such tactics.

Deceptive practices are wrong, in general, because the harm these practices cause, but they are theoretically justifiable in specific cases. The amount of justification does not depend on the intention of the intended deception. For the lesser levels forms of deception, primary lack of identification and passive deception mean that it is less needed rather than true justification for the act. Reporters may, on occasion, make a phone call or walk into a store without permission identification first.

Reporters may find themselves caught in positions that require them to use, despite lack of intent to deceive, the story subjects do not know that a reporter is present. One should be judicious in their use of these types of deception, as well as the others, help erode public trust. They are not as serious as should be the type discussed here because the volunteer may develop. As long as the reporter uses open reporting techniques to pursue the story little said information or you wouldn't be in danger of siding further down the deception scale.

The deceptive activities at the higher end of the scale - active misrepresentation and masquerading - do require justification. These activities do great damage to the trust that people need for normal societal relationships and for relationships with journalists in particular.

No matter how good the resulting story, the insidious nature of the information-gathering will not be soon forgotten by readers or by, as some take, great harm can only be balanced by equally great benefit. It won't do to call the information "important." "Importance" is vague notion and has been used too often to excuse journalistic excess. Careful consideration, as suggested by the use of open reporting techniques, can help editors and reporters decide if the information is worth pursuing through higher level deceptive practices.

1. Why do the readers need this information?

If you have enough solid information, the story can be written without undercover work. Whether the reporter finds what she/he hopes or not, public response is the most important evidence for which to consider.

2. Have you exhausted all other means for obtaining the information?

The result of the examination indicates that even if you were to try to find that there is no basis for the story.

3. On what basis that much more discussion on terrorism is needed and that the story was not obtained any other way, readers should support the story. In fact, according to Coughlin, readers were neutral or positive aside from reactions from retired or active military personnel. Most important, the Morning Star staff had already decided how to handle the story if the terrorist raid didn't work. The journalists recognized that a story on security against terrorist attacks is important whether that security is adequate or not.

4. What are your arguments against law enforcement officers doing this undercover work rather than reporters?

A security risk of this magnitude ought to be of interest to the government, but officials were no more likely than the public to believe that the information would be secure. The terrorism certainly could not be approached for assistance in the raid. It doesn't take too much imagination to guess what would have been said by the local police if Coughlin had approached them, saying, "Hey, we think the raid is a dud - you guys do a mock raid to check it out?"

One of the arguments in favor of law enforcement officers conducting covert operations is that the agents can be more knowledgeable of the situation. Undercover investigations instead of journalists is that it is less likely that innocent bystanders will be harmed through an undercover police investigation. The police are only interested in those who commit crimes; everyone is a target for undesired exposure in an undercover operation.

In Operation Heyjoe, there were no "innocent bystanders" to consider. Presumably every Marine on the installation would be secure; conscious; all personnel should be aware of the actions of obvious civilians. The resulting story named no names and from the base commander, and it focused on base security as a whole. This is a different sort of report from the more detailed and accurate reports in which the military were left out.

5. Does the reporter understand all of the risks associated with the story?

The team's six weeks of planning and debate on the issue of creating the news makes it clear that everyone involved felt the risks at least as deeply as they felt the need for the operation.

6. If the problem is great enough for higher level deception practices, what changes are likely to occur through exposure? Is the potential change great enough to offset the certain damage created in public trust?

According to Coughlin, the likely changes did occur. "The day after publication of our piece on Apr. 27," Coughlin writes, "security was tightened at Camp Lejeune. Cars were stopped at base checkpoints, vans and trucks were searched at the gates and sentries peered into puzzy boxes being delivered to the base." He adds that, as of the day, the Marine Corps is negotiating with Onslow County authorities to gain control over the New River, where it flows through Camp Lejeune.

The only damage to trust that is likely to occur is that it is in the large, trusted, hopefully, to the trust of military personnel on other bases as well. The military may be
End vs. means

...more suspicious of outsiders coming on base. In a time of terrorism, this is how it should be.

Consider, in counterpart, the case of infiltration into a high school reported in last year’s SPF/SXK Blirks Report. Albuquerque Tribune reporter Cecilia Linneman spent two weeks in a local high school, masquerading as a transfer student. The reporter described her resulting stories by saying,

"The articles explore the social dynamics that (physically) split the school’s subcultures, detailed when and where illegal drugs and alcohol were used by students and reported. Students’ attitudes about education.

Several stories uncovered a startling lack of interest in education. Film, filmstrip, guest speaker and writing assignments were perfunctory during the past week, and the class period I spent as a student. In one class a teacher didn’t address her students once during my two week stay.

Submitting this case to the same analysis given Operation HeyJoe shows why Operation HeyJoe is justifiable in a way that the undercovers in high schools are not. It’s justifiable in a way that the undercover high school students are.

1. Why do researchers need this information?

Linthicum writes, "Education is an import-ant story. It’s currently unfulfilled, in rhetoric. Taxpayers and parents, it seems, are never a close bond when it comes to the education of their children daily." That assertion is more open to questions and charges of ambiguity than the claims of unfulfilled truth of the Mariner- case. But education is an important issue.

Jack McElroy, now assistant managing editor and in-coming class editor, was city ed-itor at the time of Linthicum’s investiga-tion. In a recent telephone interview, McElroy says that the purpose of the inves-tigation was “to increase the level of public debate on education. Undercover reporting can win this battle.”

If McElroy’s story is true, then, and if the information uncovered in Linthicum’s inves-tigation is “exactly, almost exactly, the same” as information discovered in an undercover investigation when another Albuquerque Tribune reporter worked for two weeks as a substitute teacher.

2. Would your readers support your in-vestigation gathering techniques even if the story you hope to find isn’t there?

Perhaps not in this case. A high school is an ongoing community, and a two-week stay in that community is not likely to uncover anything more about the community than the surface problems the Linthicum and McElroy reports, "Countless people said to me after the series ran, ‘If you lied to get the story, how can I trust what you say now?’ These reporters’ concerns illustrate the damage that has been brought about through undercover investigation.

Sometimes deception is necessary and worthy of reader support, but why would a reader support reporting deceptive techniques that could only be used because the information that is already obvious to every teacher, principal, administrator, student and next parent?

3. Have you exhausted all other means for obtaining the information?

When a non-story made news


By Jonathan Friendly

When The Boston Herald’s gossip column-ist reported that a fancy Boston restaurant had refused to seat former President Carter, he was not wearing a coat and necktie, other news organizations found the story too amusing not to print and too innocuous to need verification.

The story was inaccurate. This is a case study of how it came to be published and then widely repeated around the nation.

Not only did the rebutt never happen, according to Carter aides, but neither did the restaurant fear any other news organization ever called to ask about it before carrying the report.

The original item was written by Nora Nathan, her column, The Eye, on May 12, 1987. It said:

"Rosalyn Carter can’t complain about her Cafe Plaza chums. The ex-First Lady was checked into the hotel during a brief book tour for her new ‘First Lady From Plains’ and checked out smiling at the service.

"Not so husband Jimmy. He was turned away from the dining room where he showed up in a t-shirt and Jergidam for dinner. ‘He was really upset and I told him to go to Who Was There, so much so that Secret Service pranced into the plaza and said, ‘That’s the president.’

‘All the more reasons he should wear a jacket,’ sweetly smiled maître d’ Ursula Stahl. Jimmy ate elsewhere.

‘I witnessed him after that, and he never came back,’ reported top Coppley man Alan Tremaine. No sweater girl, Rosalyn sent a copy of her book to Tremaine. Author’s jacket. Of course.

The Boston bureau of The Associated Press and United Press International covered the account. In rewriting it before sending it out on their teleprinters, each added that except what had occurred recently. The AP identified the ‘author’ as the Eye columnist;UPI simply credited it to the Eye.

In an interview, Nathaniel said that the incident occurred in 1980 and that she was simply, "cleaning out an old notebook" to make more interesting a current item about Rosalyn Carter in Boston. She said Tremaine had told her about the incident and that she had not tried to verify it with Carter because it was "a minor historical note."

She said she had meant to suggest that Carter was not in Boston with his wife or that the incident was recent. She said readers could tell that because they had referred to "the president," and Carter left the White House three years ago.

She said the news service "got it all garbled."

Tremaine was out of the country and could not be reached. William H. Heck, general manager of the Coppley Plaza, said Jimmy Carter, then a candidate for the Democratic presidential nomination, was turned away from the Cafe Plaza in June 1974 for not wearing a jacket and a necktie, but not by Ursula Stahl and not that she was the author of the article.

Heck said, however, that Carter was then seated in another, less formal restaurant in the hotel and enjoyed a...
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