

I

An Explanation and a Method for the Ethics of Journalism

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The aim of this chapter is to help readers understand their responsibilities as persons and as journalists, and to provide them with a framework for addressing the ethical issues that routinely arise in the practice of journalism. Our approach, which is informed by the basic tenets of Western ethical traditions and which borrows from Ozar's and Elliott's previous works, develops from the abstract to the concrete.¹ That is, we move from a discussion of the purpose of journalism, and the specific values that emerge from that purpose, to ideal relationships and practice rules, and, ultimately, to a recommended method.

In doing this we assume what Michael Davis defends in chapter 6—that journalism is a profession and, thus, that its practitioners assume special role-based duties. Those duties, for journalists as for all professionals, are reflected in but not fully captured by the respective code of ethics of each profession. Codes, as in the one developed by the Society for Professional Journalists,² provide a snapshot of a profession's ethical norms. But, given their necessary brevity and the often political process by which they are developed, they cannot provide a complete picture.

Our approach instead is empirical and normative; we explore what journalism does—its historically and politically grounded social function—and then draw from this its core values. We then align these values with classical moral injunctions not to harm and to respect others' rights, from which emerges our recommended method.

We want to stress the importance of the empirical. Most philosophical ethics treatises begin with abstract principles to which, they insist, practice must align. But it is the rare professional who learns their ethical duties in this

top-down fashion. Rather, they learn from members of the profession in regular communication with one another about their practice, in their interaction with the people to whom they provide their services, and in the relationships that emerge from all these interactions. New practitioners observe how the members of the profession judge one another's conduct, how the people whom the profession serves judge their conduct, and how the larger society judges and reacts to all of this. And they imitate or avoid the behavior of professional role models, both positive and negative.

This is the most important "classroom" for professional ethics. And it is in this complex, ever-changing blend of interactions and communications, with its commendations and criticisms, that the full details of the ethics of a profession are expressed and acquired. Further, as Christopher Meyers suggests in the introduction to this chapter, the interactions that influence the formation of ethics vary not only by profession but by organization. Thus, the ethics of the *New York Times* will differ, if sometimes only in subtle ways, from those of the *Washington Post* or NBC News.

None of this, though, lends itself to easy articulation. Explaining what one has learned or is learning from the practice of a profession in interaction with those they serve and the larger society depends on having some conceptual tools specifically designed for this purpose. In addition, having conceptual tools, which we call here a method of systematic moral analysis (SMA), brings to consciousness some of the decisions that people generally make based on habit or intuition. Once the method of ethical decision-making is brought to a conscious level, it is much easier to ensure all ethically relevant aspects are considered and, subsequently, to explain and defend the resulting decisions.

Journalists make choices that cause emotional, physical, financial, or reputational harm; such harm is built into journalistic functions. Another way of thinking of this is to note that, since journalism fulfills a vital social function (see the essays by Stephanie Craft and Sandra Borden), journalists have a *duty* to cause harm. Thus, they must be able to effectively evaluate when they can prevent or reduce harm, when such harm is fully justified, and how to explain their choices both to those they harm and to the citizens they serve.

We think the best way to unpack these concerns is to ask three basic questions: "Whom do the members of the profession serve?"; "What good do they do for those they serve?"; and "What is the ideal relationship between the professional and the person served?"³ The first two get at the purpose of journalism, thereby revealing its core values, which in turn inform the relationship analysis. The first two also, it turns out, are so closely intertwined that neither of them can be answered satisfactorily until a careful answer to the other has been developed. But we need to begin somewhere, and so we start with the first.

Whom Does Journalism Serve?

One obvious answer to the question of who journalism serves would be that journalism—and therefore journalists—serve readers, listeners, and viewers in the journalist's society. That is, they serve the audiences of the various print and electronic media by which journalists communicate. This first effort at an answer suggests that the practice of professional journalism includes anything and everything that one might speak about and is directed at anyone who happens to be listening. But this is not how journalism understands itself and, when we are reflective about it, this is not how the rest of our society expects journalism to be practiced. That is, this is not how the profession of journalism is understood in the ongoing dialogue about journalism and its ethics in our society.

A more informative answer to the question of who journalism comes from journalists themselves: "the public." Admittedly, these words are sometimes used to refer to everyone in the relevant society. But when journalists say they serve the public, they use this expression with a specific connotation that is central to understanding journalism's professional ethics. "The public," in this context, refers, to a geographic *population*, a whole society, the whole group of people living in a particular society at a particular time. Of course, the benefits of journalists' expertise reach other persons as well, that is, people outside that society; and journalists are pleased when their work assists these people. But journalism as it is ordinarily practiced, and especially as it is understood in the dialogue about journalism and ethics in our society, is focused on the people of *our* society.⁴ But what the people living in a society have in common, from the point of view of journalism's professional role, is not that they happen to be living in the same geographic location, but that they *interact* with one another. The public that journalists serve is the people of that society, insofar as those people are involved in public matters. This is the same public that we refer to when we use the expression "public affairs." For journalism, the public is the people of the society specifically regarded as engaging in actions that actually or at least potentially *affect other persons* in the society.

By contrast, members of many professions (e.g., doctors, nurses, and counselors) serve primarily individuals, and their expertise benefits principally these people, with other persons only indirectly involved. There are members of other professions, such as elementary and secondary school teachers, who serve small groups of people primarily. But journalism's commitment is to serve "all the people," the society as a whole, and to relate to that society precisely insofar as people's actions actually or potentially affect the lives of others in the society. This is the public that journalism serves.

Some journalists' audiences may in fact be very small, but that is not because journalism as a profession views those it serves only in terms of small groups. Journalism's commitment is to serve the whole population of a society,

even when it turns out the audience is a small, specialized subgroup. Although there is no hard and fast line to be drawn, if a person serves a subgroup audience such that the interests of the larger society have no role, this person is more likely to be viewed as an advocacy or public relations specialist rather than as a professional journalist.

In this respect, journalism resembles public administration, which similarly is always serving the whole population of a particular society at a particular time and place (although the ethics of public administrators derive first of all from their role as public servants rather than from their membership in a profession). Thus, for example, if a newspaper published a story that was of no value to the public but served only to please the leaders of a particular company, this would not be a proper use of the professional expertise of the journalists involved, even if the story was completely accurate. For this reason, such an action would rightly be judged unprofessional and would be unethical unless a very good reason could be offered for setting aside, in this particular situation, journalism's professional commitment to serve the whole society.

What Good Does Journalism Do Those It Serves?

Having answered the question, "Whom does journalism serve?" let us turn to the second question, "What good does journalism do for those it serves?" What things of worth, and what harms, does journalism produce? To ask this question more technically, what are the *central values* of journalism? That is, what are the social values journalism is committed to produce and, thus, what are the ethical values journalists must embrace to achieve them?

Two answers leap to mind: *knowledge of the truth* and *information*. But the first of these proves immediately problematic. Even apart from complex philosophical questions about how one might measure truth or assure its delivery, most of what is offered as knowledge in our society is closely connected to very detailed explanations of the evidence for the claim, the methods used to gather and process the evidence, and the reasoning linking the evidence to the conclusion that is offered as knowledge. Journalists, however, rarely have the opportunity to delve into a topic in great depth; and even when they do, it is rare that a journalist can offer the public all the evidence and reasoning that is needed to support a claim that is offered as knowledge. So it seems more accurate to say that one of the central values of journalism that good journalists provide to the public is *information*.

There are many kinds of information, even if we focus narrowly on information for the public, as defined above. Does journalism's ethics hold every kind of information to be of equal value, or do different kinds of information have different levels of ethical priority for the journalist?

Some kinds of information are essential for people to function as a society, and the absence of such information makes it extremely difficult for individuals

to work together in groups and for both individuals and groups to give direction to the society and to effect important changes in the society when these are needed. This is the kind of information that both journalists and political theorists have in mind when they talk about journalism as an essential tool for controlling governments' abuses of power and for preserving and growing a democratic society (see Craft's and Borden's essays in part two). And it is people's lack of access to such information that is decried in societies without an independent press. Clearly there is a lot of information about governments and other institutions and centers of power in the society—and about the persons who hold offices or in other ways wield such power—that the people of any society *need* in order to effectively function as a society and pursue their collective or individual goals.

In addition, the information a society needs to function effectively includes information about matters of safety. Of course, some threats to health and physical well-being are recognizable using common sense observation. But, especially in complex societies like ours, there are many threats to health and well-being that are not easily identified. People need such information to protect themselves and to minimize the negative effect of things that are unavoidable, and thereby to be able to interact in dependable and effective ways and to achieve their collective and individual goals.

Further, as societies become more complex, new forms of social and organizational power arise that are not readily recognizable by commonsense observation but that have the potential to harm people, either directly or by limiting their opportunities for change and growth. In such cases, information about the bases of power and the persons who wield it is something people need in order to interact dependably and effectively to achieve their collective and individual goals.

These are three examples of the kind of needed information that journalism is committed to providing to the society it serves.⁵ In fact, as we explain in more detail below, it is this role-related responsibility of providing needed information that makes journalism unique.⁶ Notice also that, while human societies certainly have characteristics in common, and therefore there are certain categories of information that every society needs, it is also true that societies are significantly different from one another. Therefore, one of the central ethical values to which journalists must be committed is undertaking discerning pursuit and effective dissemination of needed information: they must recognize and distinguish the kinds of information needed by the society being served and ensure that the information is effective and accurate and is heard and read.

In making ethical judgments, journalists are required by their professional ethics to prioritize the discerning communication of needed information. The second-highest priority is to provide information that enables people to respond to their *desires*, specifically to the desires that the members of the society consider to be common to everyone, or almost everyone, in the society. Two fairly obvious examples from U.S. society are the value most people place on learning

about the generous and self-sacrificing actions of exceptional individuals, and on hearing or reading about leisure pastimes (sports, cultural pursuits, vacation opportunities, etc.).

These are areas of human life that are widely valued across our whole society and, because of this, are also widely seen as bonds within the society itself. Therefore, when providing this information, it is reasonable for journalism to consider itself to be serving the public, rather than merely a number of individuals. Because journalists should be committed to providing information related to common social desires, they are duty-bound to be sufficiently attuned to society's interests and to clearly, accurately, and effectively convey the desired information.

But the information society *desires*, though its value is widely agreed upon in the society, is *optional* rather than *needed* for societal functioning or for people to pursue their collective and individual goals.⁷ This is the reason that, from the point of view of journalism's professional commitments, information related to *needs* outranks information related to *desires*.

There are also many things that people might seek information about that are neither matters of need nor matters of desires but are widely affirmed across the society. These individualized interests can be called "preferences," and include those things we want to know about that do not have a significant effect on the strength of the society; that is, they affect it neither directly nor because they are widely shared and so function to bond us. The expertise of the journalist could be used to serve people's preferences, but that is not the reason a society establishes and supports journalism. That is, providing information about people's preferences is not a central value of journalism.

The fact that information about people's preferences is not a central value of journalism is another reason that, as in the earlier example, it is arguably a misuse of professional expertise to report on something that benefits only a subgroup of society. For in that case, it is the group's preferences rather than the needs of the society or the common desires of the public that are being served.

In addition to providing information the society needs and information about the common desires of the society, there are two other central values that should be mentioned here. The first is *autonomy*. Every profession enables those it serves to overcome aspects of powerlessness, to take (or resume) control of something important in their lives. Many journalists are uncomfortable with a claim they are somehow responsible to empower others, but we see this as an indirect commitment: by doing their jobs well, by accurately reporting on vital information, and by acting as a watchdog of powerful institutions, journalists enhance society members' autonomy.

Autonomy refers to a person's or group's ability to act on the basis of the values and goals that person or group has chosen. It correlates closely with the notion of self-determination, except that the expression "self-determination" does not naturally account for the values and goals that groups strive to act on.

When people lack needed information, good journalism can provide the good of the information they need and can thereby enable people to act more effectively to achieve their goals: providing people with information enhances their autonomy. A great deal of journalism's enhancement of autonomy is achieved by providing needed information. But there are many ways in which an individual's or a group's autonomy can be diminished and, therefore, there are many ways in which autonomy can be enhanced.

For example, many people view themselves as prevented from acting on their chosen values and goals by complex bureaucratic government systems. Reporting about persons who overcame bureaucratic obstacles can help them view themselves as able to handle the challenge rather than passively give up. Similarly, challenging these same systems when they overstep their democratic functions grants power indirectly to individuals and groups who may otherwise feel impotent. In addition, some journalistic organizations have used their power over information, or their more direct social power, to get bureaucracies to respond to individuals or groups that the bureaucracy has been overlooking or ignoring, thereby enhancing those persons' or groups' autonomy.

A fourth central value of journalism is *community building*. In addition to providing the society with information and enabling individuals and groups to act autonomously, it is also part of journalism's appropriate work to build the bonds of the society in other ways. "Human interest" stories are an example of stories that help build community. Consider stories about individuals or groups in the society who go out of their way to help other individuals or groups in need. Such stories contribute to community building in two ways. They reassure the members of the society that, even when they find themselves unable to respond to a need, there are others in the society who might assist them. Even though they may be unable to help themselves, they are not automatically cut off from the concerns of others: they remain, even under difficult circumstances, fellow members of the community. Second, such stories can also motivate other individuals or groups in the community to help others, either by contributing effort or other resources to the same good cause or by acting more energetically in relation to another cause.

A second example of "human interest" stories that contribute to community building is stories of persons suffering misfortune, even if there are no special efforts being made by others to assist them when the story is reported, and stories of the admirable achievements of members of the society. As Jacqui Banaszynski argues in chapter 16 of this volume, stories of other persons' misfortune can elicit empathy for those currently in trouble, and such feelings can bind members of the community together. Similarly, stories of achievement can elicit feelings of admiration or even pride that the person who has succeeded in a particular achievement is a member of one's own society. In this way such stories can contribute to community building even if they do not prompt readers to act in response. In fact, many who read or hear the story may not

themselves have the resources or opportunity to help those whose misfortunes are reported or may lack interest in or the opportunity to strive for similar achievements. But eliciting empathy, like eliciting admiration or pride in others' achievements, can enhance the bond that joins people together as a society.

It is very possible, as every journalist knows, to report such stories in a fashion that is maudlin or sensational or merely ego-boosting and voyeuristic, and that therefore puts readers off rather than engaging them. But properly reported, human interest stories of this sort are examples of reporting that can build community and, by doing so, fulfill one of the central values of journalism.

In summary, while other values are undoubtedly important to good journalism (e.g., accuracy, good writing, a deep interest in the world and its people), we conclude these four to be central:

- Making discerning pursuit and effectively disseminating needed information,
- Sufficiently attending to society's pulse to clearly and effectively convey common social desires,
- Enhancing clients' autonomy by reporting on vital information and acting as a watchdog of powerful institutions, and
- Drawing upon and powerfully conveying those human interest stories that serve to build community.

With these values as the core, we will now examine how they best translate into ethically appropriate relationships.

The Ideal Relationship between Journalism and Its Audience

The third category of professional obligation concerns the relationship between journalists and journalistic organizations, on the one hand, and their audience, those who read, hear, or watch the product of their efforts. This relationship might seem to be quite straightforward. Either the audience reads, listens, or watches, or they don't. That is, journalism should consider its audience to be active only in deciding whether to attend to the product that is produced. Once that decision is made, the rest of the audience's role is completely passive, and there is nothing ethically significant to consider except the obligation to employ the central values just examined when producing stories.

This *could* be the relationship between journalists and their audience. But is it not the relationship that is built into the ethics of this profession in our society. The thesis of this part of this essay is that the ideal relationship, the one that journalists are committed to building between themselves and the people they serve is a *collaborative* relationship. Viewing the relationship as one in which the audience is simply passive, once it has chosen to read, listen, or watch, does not represent what journalists in our society are ethically committed to working toward.

We recognize there may be a gap here between what journalism's ethics *ought* to require in our society and what society, in dialogue with the profession, currently *does* require. This essay will propose that a collaborative relationship is the one to which professional journalists in our society are committed.

As the arguments in parts I and III of this book attest, journalism is not just a marketplace activity. Its historical significance and its importance to society and to political institutions (all reflected in its First Amendment protections) show journalism to be, first and foremost, a socially vital enterprise, and only secondarily a profit-making business. Indeed, if this were not the case, journalism ethics would be just another form of business ethics, and there would be no need for books like this one.

Furthermore, as noted above, we agree with Davis's conclusion that journalism is a profession. Consequently, its practitioners have special obligations to their clients, in particular the obligation to make clients' best interest the primary focus.⁸ Professional-ethics literature has extensively explored which relationship model best helps journalists fulfill this and other professional obligations; the consensus favors a variant of the collaborative model, which we adopt here: the way to understand the ideal relationship between journalist and audience is to see them as partners in judging what information is needed, what information responds to common social desires, what enhances autonomy, and what builds community.

To focus (for the sake of brevity) on just one of these four, what does striving for a collaborative relationship imply about the information a society needs? It implies that, while the journalist has expertise in gathering data for and weighing the reliability of sources about a given story, the audience should be expected to be playing an active role in determining whether the result is dependable and useful for meeting the society's or a given group's needs. That is, the journalist should assume that the reader is capable, in a non-expert way, of evaluating whether information is needed and whether the means used for gathering it were legitimate and adequate. The journalist, thus, should include in the reporting enough background about the information and its sources that the audience can evaluate these.

The audience should not be viewed as passive in the sense of having no shared interest with the journalist about the well-being of the society (which passivity risks reducing their relationship to a commercial one); neither should the audience be viewed as passive in the sense that the journalist's ability so exceeds that of the audience that the audience should simply accept the journalist's judgment of relevance, dependability, and usefulness. One component of a collaborative relationship in practice is an openness on the part of journalists and journalistic organizations to accept feedback from their audience. But the feedback they actually receive is not necessarily representative of the whole audience. So, of even greater importance is the journalist's efforts to understand the audience in advance and to be responsive to the audience, especially

regarding the audience's judgments about the two most important questions about any information: its dependability and its usefulness to the society. Similar arguments can be given for the other three central values.

To put this point differently, striving for a collaborative relationship with one's audience regarding needed information requires that the journalist reflect carefully on how co-investigators can work together to gather facts and interpret meaning. Clearly, one thing that is necessary is attending to the contribution of the other, which means, in practice, that each offers the fruits of his/her research and judgment to the other as, first of all, a hypothesis to be examined by the other, rather than as an already finished product. And this requires that, in presenting his/her conclusions, each provides the other with the sources of information, the reasons for thinking them dependable, and so on, so the other can see why the proposal is plausible as a hypothesis and can evaluate it properly in the light of relevant evidence.

Second, it is necessary that each investigator be open to the possibility that his or her research and judgment are not comprehensive. Third, each investigator must be as explicit as possible about the meanings that she attaches to what has been learned so others can interpret what is offered. These characteristics do not exhaust the characteristics of an ideal collaborative relationship, but they are a solid beginning and are suggestive of other characteristics that will make the relationship as collaborative as possible.

If we have done our job well, we have answered the first three questions critical to a method of ethical decision-making. We have addressed the purpose of journalism by determining whom journalists serve. From this, we discerned four central values, which in turn informed our determination of the ideal journalism-client relationship. Let us now turn to our practice rules and method.

Role-Related Responsibilities as an Ethical Guide for Journalists

Like all other professionals, journalists have a basic obligation to meet the special responsibilities attached to their role.⁹ Paramount among these, as it is in nearly all human contexts, is the obligation to avoid causing unjustified harm. Journalists have ample opportunity to violate this principle; their expertise and the social role they fill give them the power to wreak considerable damage.

Of course, professionals sometimes cause harm that is justified. For example, a surgeon who removes the leg of someone with bone cancer is causing a disability but is doing so with the patient's consent and in the hope of saving the patient's life. A lawyer providing an adequate defense to the plaintiff in a libel case may well cause harm to the defendant reporter and news organization that have published defamatory statements. But this harm is justified if it is caused by a practitioner in the course of fulfilling his or her unique role-related responsibility, and if the responsibility cannot be met without causing such harm. So is

it also the case for journalism when, for example, news organizations publish the names and details of politicians who have engaged in corruption. The actions of the news agency are within the scope of their unique role-related responsibilities, and they could not fulfill those responsibilities in any other way.

Thus, we need a systematic moral analysis that will help us discern just what the role-related duties are and whether associated harms are ethically justified. From there, we provide four categories of action the practitioner should examine when faced with an ethical challenge.

Two Initial Questions

The SMA begins with a two-part question:

What is the role-related responsibility of the profession or practitioner? If the intended action is among the role-related responsibilities of journalists, will the intended action of the practitioner cause potential emotional, physical, financial, or reputational harm?

If the answer to the second part is "yes," then journalists should consider, or engage in a conversation within their newsroom, to determine if causing such harm is justified because it is the only way for them to fulfill their role-related responsibilities. Sometimes that call is easy, as in the above corrupt-politician example. Or sometimes the call is easy for another reason, such as because withholding the identity of a child who has been sexually abused overrides the public's need to know. It is possible to name an alleged perpetrator (and thus provide an opportunity for others to come forward with additional charges—which, in combination with the goal of protecting other potential victims is the reason the potential harm to the perpetrator is justified) without identifying the children. In almost all cases, news organizations choose to avoid causing that additional harm by identifying the child victim. If causing harm is not directly tied to role-related responsibilities (e.g., the harmful material or embarrassing picture would be included just for the viewer's amusement), then, ethically speaking, the harm is not justified.

Questions to Determine If Causing Harm Is Justified

Two thousand years of thoughtful analysis in the study of moral philosophy have resulted in useful questions for determining when causing harm is justified and when it is not. The classical philosophers Aristotle, Immanuel Kant, and John Stuart Mill are those most often found in journalism casebooks. While these are not the only influential philosophers, their primary concerns and methods resonate with the public and with the social practices of journalism and many other professions. Questions based on those philosophers, and one from the influence of twentieth-century feminist philosophers, follow. Textbooks too

often give students a "grab bag" of these theorists' views, typically presenting them as adversaries, and then leave the student to sort out the respective (dis) advantages. We believe, instead, the theorists, in fact, agree on key points, even if they come at them from different angles. We thus bring together their great thoughts to make sure that aspects of an ethical concern are considered, in a process we call "mixed formalism."¹⁰

If it is determined that a role-related action may cause harm, further analysis is required. Consider the following questions to determine if causing harm is justified:

(1) Does the intended action respect all persons affected? Does it treat all persons in the situation in a consistent and impartial way?

These questions are based on the moral philosophy of Kant, an eighteenth-century German philosopher. Kant taught that all persons were worthy of respect because of their shared humanity. We know a lot about other people, based on a kind of human analogy. I know that other humans are like me in that they generally want to avoid pain and death. If this were not true, torture and terrorism would not be possible.

Bringing Kant into our SMA means that we need to consider every person's right to avoid being caused unjustified harm. However, it is still ethically permitted to sometimes cause people harm. For example, Kant believed strongly in the state's right to punish those who disobeyed the law. Kant argued that people who knowingly disobey the law or intentionally do the wrong thing, actually *choose* the consequences of their action and so deserve those consequences.

Respecting the humanity of *everyone* involved in a situation means that journalists should make choices they can defend no matter who happens to be the victim or beneficiary of their publication. Any harm caused to the story's subject should be justified by the actions that the story's subject brought on himself or herself. If citizens know that anyone in a similar situation would be treated similarly, then journalists are acting impartially.

(2) Is each person getting what he or she is entitled to? Does the intended action promote the aggregate good of the community?

These questions come from the philosophical ethics of John Stuart Mill, a nineteenth-century British philosopher. Like Kant, Mill has great respect for the importance of individual human life, but he also discusses the importance of promoting the good and the growth of the community.

Just as Kant counsels that we need to respect the humanity in every person, Mill says that one should focus primarily on the principles of justice when considering how to treat people.

(2a) Are people getting what they have a legal and moral right to? Are they getting what they deserve, including the outcomes of any promises made to them? Are they being treated impartially?

Only if the answer to all of these questions is "yes" is it ethically permitted for someone who may cause harm to an individual to consider the next question.

(2b) What overall good is promoted by this action? What overall harm will come if the action is not taken?

Notice that the stress in this question is on the *overall* good and the *overall* harm resulting from an action; that is, both good and harm result when we take into account *everyone relevantly affected* by the action. This way of asking the question is associated with Mill and his predecessor in Utilitarian thinking, Jeremy Bentham. These thinkers are often (mis)represented as having taught that the standard of ethical action is "Do the greatest good for the greatest number." But phrasing it this way can lead to the inaccurate conclusion that Mill thought it was okay to sacrifice one individual for the happiness of the majority. Mill and Bentham both argued, however, that actions should promote the aggregate good—the good of the whole, which involves more than tallying how many people are harmed and how many are helped or made happy.

Thus, a profession's role-related responsibilities express how the profession is expected to promote the aggregate good. In the case of journalism, one example of the aggregate good is the information necessary for self-governance that the profession supplies. If the aggregate good is being promoted, then even the person who is being harmed should be able to agree to the publication of the information. For example, no burglar would want to have his actions reported; such reports are likely to make potential victims aware and vigilant. However, the burglar would want to be warned about someone who was a potential threat to him. Reporting thus promotes the overall interest of the burglar in addition to that of the larger society in that, at some point, the burglar might be protected by the journalist's reporting.

However, imagine running a photograph of a mother standing on the street and staring in horror as her house is engulfed in flames with her young children still in it. We can begin to see how applying the principles of justice might protect this woman. It is certainly legal to print such a photo, but one might argue that this woman has a moral right to be treated with respect and not to be objectified in such a moment. The pain caused by publication of that photo is not what she deserves. In addition, it is hard to imagine how publication of this photo would in any way promote the aggregate good. Human interest stories promote human bonding, but human bonding often occurs through the sacrifice of an individual. The harm caused to this individual (assuming that the photo is published without her consent) would not benefit her or people who might find themselves in a similar situation. People do not need to see this excruciating moment in this woman's life to assist in their self-governance.

(3) What would your moral or professional heroes do?

This question is inspired by Aristotle, who said that when we cannot figure out what to do, we should consult a person with practical wisdom. Professionally, as well as personally, it is good to have heroes, to have someone who exemplifies what it means to be a good journalist doing well. Choosing the action that your moral hero might choose leads one to consider what is ethically ideal.

(4) Is each person in the situation getting what he or she needs? How can we devise a solution that addresses each person's needs, and most particularly, the needs of the most vulnerable? Does the intended action promote relationship, and does it promote community? Does it promote trust among people? Is the process of decision-making itself respectful of everyone involved?

Feminist philosophers throughout the ages, and most particularly in the twentieth-century, have reminded us that it is rare that all people in a given situation have equal power. For the most part, there are vulnerable parties and they should be cared for first. Feminist philosophers tell us not to be distracted by the influence of the powerful in society, and urge us to give voice to the voiceless and to make sure that the parts of a community most likely to go unnoticed be given attention.

By carefully examining our actions in terms of these questions and aligning the answers with our role-responsibilities, we can determine into which of the four kinds of action, as noted below, our proposed course of action falls. Doing this carefully, whenever there is a complex ethical decision to be made, is what we mean by systematic moral analysis.

The Goal of SMA: Identifying Four Categories of Actions

Systematic moral analysis is the process by which thoughtful practitioners reason through an ethical concern. Practitioners should have all available facts before they begin, understanding that all analysis is made with some degree of uncertainty. We cannot have all the facts, ever. We cannot know how someone might react to the publication of certain facts; we can only make predictions, based on our own experience and empathy. SMA is not a calculation that results in a good/bad, right/wrong final answer. However, the rational base of this type of moral analysis promotes consistent decision-making that takes all factors into account. Careful reasoning results in four categories of possible actions:

1. Ethically prohibited (It would be just wrong to do *x* in this case, and here is why.)
2. Ethically required (The practitioner can fulfill role-related responsibilities only by taking one of these potential actions.)
3. Ethically permitted (The group of ethically permitted actions includes only those that fulfill role-related responsibilities without causing unjustified harm; this group of actions includes those considered "ethically required," and also shows why different news organizations might choose different ways of meeting their role-related responsibilities.)
4. Ethically ideal (These actions go beyond doing what is required or permitted in that ideal actions prevent or avoid harms rather than merely not causing them, or they address other harms caused.)

A Professional-Ethical Decision Guide

We believe that everything to this point can be combined into a set of questions to assist journalists in professional ethical decision-making. The resulting decision guide looks like this:

STEP ONE. Identify the courses of action available to the journalist (or the news organization) in the situation. Do not examine only the action presently under consideration; use your moral imagination and the assistance of other persons, if possible, to determine what other courses of action might be undertaken. Then carefully evaluate each of them using the following questions.

1. Does the action fulfill one or more of the professional journalist's role-related responsibilities?
 - a. Is the action serving the public, that is, the people of the society in which the journalist practices? Or are the actions serving only the preferences of an individual or subgroup within the society?
 - b. Does the action address the central values of journalism? Are there other available actions that would more effectively maximize these values for the public? If several central values are involved, does this action rank information the society needs above the other values?
 - c. Does the action employ and facilitate a collaborative relationship between the journalist and the audience? Or does it negate or inhibit such a relationship? Are there other available actions that would do this better?
2. Will the action cause potential emotional, physical, financial or reputational harm?
3. Is causing this harm justified?
 - a. Does the intended action respect all persons affected? Does it treat all persons in the situation consistently and impartially?
 - b. Is each person getting what he or she is entitled to? Does the intended action promote the good overall? Do the agent's actions promote the aggregate good of the community? Are people getting what they have a legal and moral right to have? Are they getting what they deserve, including the outcomes of any promises made to them? Are they being treated impartially? What overall good is promoted by this action? What overall harm will come if the action is not taken?
 - c. What would your moral or professional heroes do?
 - d. Is each person in the situation getting what he or she needs? How can we devise a solution that addresses each person's needs, and

most particularly, the needs of the most vulnerable? Does the intended action promote relationship, and does it promote community? Does it promote trust among people? Is the process of decision-making itself respectful of everyone involved?

STEP TWO. Given the answers to the above questions, of which type is this action? The four possible characterizations are:

1. Ethically prohibited (It would be just wrong to do x in this case, and here is why.)
2. Ethically required (Only by taking one of these actions will the practitioner be able to fulfill the role-related responsibilities.)
3. Ethically permitted (This group of actions will overlap some of those in the "ethically required" scope of possibilities; the actions that are ethically permitted are those that fulfill role-related responsibilities without causing unjustified harm.)
4. Ethically ideal (These actions are those that go beyond doing what is required or permitted in that ideal actions prevent harms rather than merely not causing them, or they address other harms caused as well.)

Notes

1. David Ozar, "Professions and Professional Ethics," *Encyclopedia of Bioethics*, 3rd ed., ed. Stephen Post (New York: Thomson/Gale, 2003), 2158–68; Demi Elliott, *Ethics in the First Person: A Guide to Teaching and Learning Practical Ethics* (Lanham, MD: Rowman & Littlefield, 2007).

2. Society of Professional Journalists, *Code of Ethics* (Indianapolis, IN: Society of Professional Journalists, 1996); available online at <http://www.spj.org/ethicscode.asp>.

3. These are taken from Ozar's fuller analysis in "Professions" (p. 2162) where he includes six additional questions.

4. This focus on a particular society is what at least loosely distinguishes the journalist from the professional scholar, who aims to enlighten the whole world.

5. Demi Elliott, *Responsible Journalism* (Beverly Hills, CA: Sage, 1986), and Bill Kovach and Tom Rosensteel, eds., *Elements of Journalism* (New York: Crown, 2001).

6. Demi Elliott, *Ethics*, pp. 90–91.

7. Len Doyal and Ian Gough, *A Theory of Human Need* (New York: Guilford, 1991).

8. Identifying journalism's "client" is one of the sticking points to classifying it as a profession. However, we find Davis's arguments (below) compelling.

9. Elliott, *Ethics*, pp. 90–91.

10. Elliot, *Ethics*, p. 58.

Journalism Ethics

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EDITED BY CHRISTOPHER MEYERS

OXFORD
UNIVERSITY PRESS

2010