

# In Media Communications

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Fifth Edition

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# ETHICS IN MEDIA COMMUNICATIONS CASES AND CONTROVERSIES

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Louis Alvin Day

*Louisiana State University*



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## PREFACE

Whenever the term “media ethics” is introduced into polite conversation, someone is sure to ridicule the reference as an oxymoron. Teachers of media ethics are painfully familiar with the looks of amusement or even disbelief when they acknowledge their complicity in what appears to be a frivolous academic pursuit. A sense of purpose can easily be replaced with a feeling of futility, as reflected in this cynical remark from Howard Good, the coordinator of the journalism program at the State University of New York: “You ought to feel sorry for me. I teach an undergraduate course in journalism ethics at a time when ethics seems to matter less and less in the conduct of professional journalists.”<sup>1</sup>

At first glance, it does appear that we are engaged in a hopeless enterprise. Public opinion polls continue to show that media professionals are held in low esteem. For example, in 1985, 56 percent of the public believed news organizations usually got their facts straight, according to the Pew Research Center. By 2002, that figure had declined to 35 percent. In 1985, the public viewed the media as “moral” by a better than four to one margin; by 2003 public opinion was almost evenly divided on this issue.<sup>2</sup> Advertising executives are criticized for manipulating a vulnerable public. Public relations practitioners are depicted as representing special interests and

disseminating disinformation to the detriment of the public interests. The entertainment industry stands accused in the court of public opinion of marketing gratuitous sex and violence to the nation’s emotionally susceptible youth.

However, I must respectfully dissent from this cynical view of the value of ethics instruction within the public academy. Skepticism about moral education produces skepticism about moral responsibility, and this in turn produces leaders who lack a moral vision. In fact, the need for a renewed emphasis on ethics education has never been greater. Evidence of a general decline in ethical standards is all around us: political candidates who abandon any pretense of civility and launch “attack ads” to destroy their opponents, athletes whose record-setting performances are tainted by allegations that they used steroids or other performance-enhancing drugs, students expelled from school for cheating, and journalists for respectable news organizations fired for plagiarism and the fabrication of facts.

After thirty years of teaching, I am convinced that most students leave school without a meaningful understanding of the ethics of their profession or ethics in general for that matter. This depressing state of affairs calls for a more aggressive posture in the teaching of ethics, not cynical sighs of resignation by those

who spend their time chronicling the media's frequent ethical lapses. My sense of optimism is fueled by the fact that, within the academy, professional schools—law, business, and journalism, for example—have reinvigorated their curricula with a renewed commitment to the teaching of ethics. And ethics, which was once the concern primarily of scholars, philosophers, and theologians, has even taken on a populist quality as the ethical dimensions of virtually any issue of substance are publicly debated. Or to state it in the vernacular, ethics has become a “hot button” issue.

*Ethics in Media Communications* is one small contribution to this pursuit of ethical knowledge. It offers a systematic approach to moral reasoning by combining ethical theory with the practice of ethics by media professionals. A moral-reasoning method is taught in the first three chapters, and in the rest of the book students are presented with hypothetical situations and asked to reach an ethical decision based on the principles they have learned. Some cases, though hypothetical in structure, are based upon real events while others are constructed from whole cloth.

The cases in this text represent the wide variety of moral dilemmas confronted by media practitioners. For example, an editor agonizes over whether to publish an embarrassing secret about a local military hero from the Iraqi War and a university's public relations department must decide whether to disclose a cheating scandal involving several basketball players just prior to the team's appearance in the NCAA's “Final Four” tournament. A marketing director for a drug company must confront some ethical questions surrounding the advertising of a new impotency drug. A Hollywood producer considers the ethical dimensions of “exploiting”

animals as actors in the film industry. A search engine operator explores the ethics of deceptive advertising on the unregulated World Wide Web. An editor for a college newspaper must decide whether to continue to run a graphic sex column that has generated a lot of campus controversy. A television news department must decide whether to report the truth about the infant daughter of a married lesbian couple. A public relations practitioner must decide whether political activism constitutes a conflict of interest, and the staff of an African American institute debates the ethics of commercializing the images of slain civil rights leaders in ads designed to counteract the marketing efforts of the tobacco industry within the black community.

Some cynics may question the value of using classroom simulations to teach real-world ethics, especially given the fact that media practitioners operate under time deadlines in pressure situations. However, even football teams must endure hours of skull sessions before they do combat on the gridiron, and experience in moral reasoning—even hypothetical experience—will help students prepare for the day when they must make ethical judgments on the job.

A final note: I do have some evidence, anecdotal though it may be, that this approach to teaching ethics is effective. After having used the moral-reasoning model in my classes, I have been told by students that it made them more ethically aware of the consequences of their behavior. If this book accomplishes nothing more than that, it will not have been in vain.

## Notes

1. Howard Good, “We Need Ethics Examples,” *Quill*, April 2001, p. 40.
2. See Robert J. Samuelson, “Picking Sides for the News,” *Newsweek*, June 28, 2004, p. 37.

## INTRODUCTION

The study of ethics may be new and unfamiliar to you. Although most of us are obedient disciples of the values we learned in childhood, we spend few of our waking hours pondering the importance of these moral rules and how they might lead to a more virtuous life. Prohibitions against lying, stealing, and cheating, for example, are platitudes to which we pay homage, but we don't always comply with them. Our ethical conduct is often "situational" because we have no comprehensive moral framework to guide us in making judgments. In short, we lack experience in moral reasoning.

Public opinion polls continue to reflect a general wariness of the ethical deportment of media practitioners, the consequence of which has been an erosion of credibility. Mass communication educators have responded to this public impeachment by reinvigorating their curricula with required ethics courses or in some cases an infusion of ethics instruction across the curriculum. The primary goal is to initiate a moral discourse among faculty and students. This book is designed to engage you in this conversation through the process of moral reasoning. Of course, reading this book will not make you an ethically mature individual. But it will provide a blueprint for improving your ethical awareness. Nowhere is the need for moral reasoning more

acute than in journalism and other areas of mass communications. The polls continue to show an erosion of credibility and confidence in the mass media, some of which is no doubt due to the public's perception that the media ship is sailing without a moral compass.

Because the frenzied environment of the newsroom or the advertising agency is no place to start philosophizing about moral reasoning, the classroom must serve as our point of departure. The exercises in this book represent a cross section of moral dilemmas confronted by media practitioners; you may encounter some of these on your first job or later in your career. If so, you will be called upon to make ethical judgments. The practice in problem solving and critical thinking afforded by these hypothetical cases will make you a more confident decision maker. Before confronting the dilemmas posed by these case studies, however, you must be familiar with the terrain of moral philosophy. Thus, *Ethics in Media Communications: Cases and Controversies* is divided into two parts.

Part 1, Foundations and Principles, is devoted primarily to a consideration of moral development and the formulation of moral rules and principles within a social context. The third chapter of Part 1 also draws on a fusion of important concepts from moral philosophy, media

practice, and critical thinking to construct a moral-reasoning model that will be used as the blueprint for analyzing the hypothetical cases in Part 2.

The chapters in Part 2, Cases in Media Communications, present some of the major issues confronting media practitioners. The theme underlying this approach is that these issues affect all areas of mass communications. For example, moral principles involving truth telling and deception apply to journalists, advertisers, and public relations executives alike (as well as to society at large). Likewise, conflicts of interest are certainly not the exclusive preserve of journalists.

The hypothetical cases involve ethical dilemmas confronted by both lower-echelon employees and management personnel. In many cases you will be asked to assume the role of a management-level decision maker. Some may question the value of this kind of exercise because, as a *future* media practitioner, at least at the start you are likely to identify more closely with rank-and-file employees. However, role-playing can be an effective means of stepping into another person's shoes. By so doing, you should at least come to appreciate the management perspective on ethical issues, even if you do not agree with it. This ability might prove valuable once you enter the job market. Also, keep in mind that the real purpose of this text is to expose you to the process of moral reasoning and not just to discuss ethical issues. To this end, it makes little difference what your role as

ethical decision maker is as long as your judgment is based on sound moral principles.

In the book's Epilogue, I provide a final comment on the current state of the practice of media ethics. There is also some crystal-ball gazing and a look at the future of the teaching of media ethics. Ethical studies have a long and honorable tradition in programs of journalism and mass communications. *Ethics in Media Communications* is designed to help you become part of that tradition.

One final caveat before you confront the material in this text: Some ethicists and futurists have noted, correctly, the ethical challenges posed by the unregulated World Wide Web, and this text deals with these concerns. However, there is a tendency toward some hysteria each time that a new technology becomes available, leaving in its wake the mistaken impression that the ethical issues posed by that technology are unique. The digital manipulation of a news photo, for example, does not alter the fact that deception is involved, and deception is an enduring issue in the practice of journalism. Likewise, there is no doubt that concerns such as invasion of privacy, piracy of intellectual property, and the dissemination of false information are exacerbated on the Internet. But the technology has not altered the basic ethical issues. For example, the theft of intellectual property is wrong, regardless of whether it occurs in cyberspace or through more conventional low-tech means. Thus, the values discussed in this text are timeless and do not change with the introduction of new technologies.



# **ETHICS IN MEDIA COMMUNICATIONS**



# **BRIEF CONTENTS**

**Preface** xv

**Introduction** xvii

## **PART ONE: FOUNDATIONS AND PRINCIPLES 1**

---

**CHAPTER 1 Ethics and Moral Development 2**

**CHAPTER 2 Ethics and Society 23**

**CHAPTER 3 Ethics and Moral Reasoning 54**

## **PART TWO: CASES IN MEDIA COMMUNICATIONS 77**

---

**CHAPTER 4 Truth and Honesty in Media Communications 78**

**CHAPTER 5 The Media and Privacy: A Delicate Balance 132**

**CHAPTER 6 Confidentiality and the Public Interest 178**

**CHAPTER 7 Conflicts of Interest 211**

**CHAPTER 8 Economic Pressures and Social Responsibility 247**

**CHAPTER 9 The Media and Antisocial Behavior 282**

**CHAPTER 10 Morally Offensive Content: Freedom and Responsibility 319**

**CHAPTER 11 Media Content and Juveniles: Special Ethical Concerns 353**

**CHAPTER 12 Media Practitioners and Social Justice 381**

**CHAPTER 13 Stereotypes in Media Communications 417**

**Epilogue 449**

**APPENDIX 1 Society of Professional Journalists: Code of Ethics 455**

**APPENDIX 2 American Advertising Federation: Advertising Principles  
of American Business 457**

**APPENDIX 3 Public Relations Society of America: Code of Ethics 458**

**Selected Bibliography 463**

**Index 467**

# CONTENTS

**Preface** xv

**Introduction** xvii

## **PART ONE: FOUNDATIONS AND PRINCIPLES 1**

---

### **CHAPTER 1 Ethics and Moral Development 2**

#### **The Study of Ethics: An Overview 2**

- The Three Branches of Ethics 4
- Ethical Communication 5

#### **The Value of Ethics Education 7**

- Contents of a Course in Media Ethics 8
- Developing Ethical Fitness 9

#### **The First Principles of Moral Virtue 10**

- Credibility 10
- Integrity 11
- Civility 12

#### **The Formation of Ethical Values and Attitudes 13**

- Defining Values and Attitudes 13
- Sources of Values and Attitudes 15
- Personal Values and Professional Ethics 17

#### **The Ethical Dilemma: Conflict of Values 18**

- Summary* 20
- Notes* 21

### **CHAPTER 2 Ethics and Society 23**

#### **The Need for a System of Ethics 23**

- Society and Moral Anchors 23
- The Functions of the Media within the Ethical System 26

#### **Requirements of a System of Ethics 28**

- Shared Values 28
- Wisdom 29
- Justice 29
- Freedom 29
- Accountability 30

#### **The Social Compact and Moral Duties 30**

- The Two Levels of Moral Duty 30
- Deciding among Moral Duties 31

#### **The Nexus of Law and Ethics 33**

#### **Institutional Autonomy and Social Responsibility 35**

- The Libertarian View 36
- Social Responsibility 37

#### **The Challenges of the Information Age 42**

- Convergence: New Media and Old Media 42
- The Ethics of Cyberspace: Old Wine in New Bottles 43

#### **The Media as Socially Responsible Institutions 45**

- Codes of Conduct 46
- The Ombudsman System 47
- News Councils 49

#### *Summary* 50

#### *Notes* 51

## **CHAPTER 3 Ethics and Moral Reasoning 54**

**Moral Reasoning and Ethical Decision Making 54**

**The Context of Moral Reasoning 55**

**The Philosophical Foundations of Moral Theory 56**

The Greek Connection 56

**Ethical Perspectives and Traditions 57**

Care-Based Ethics 57

Kant and Moral Duty 57

The Appeal of Utilitarianism 58

Ethics as a Social Contract 59

Feminist Ethics 60

The Rise of Relativism 60

**Ethical Theories in Moral Reasoning 61**

Deontological (Duty-Based) Theories 61

Teleological (Consequence-Based)

Theories 62

Virtue Theories: Aristotle's Golden Mean 64

**Critical Thinking in Moral Reasoning 65**

**A Model of Moral Reasoning 66**

The Situation Definition 66

Analysis of the Situation 67

Decision 68

**A Sample Case Study 69**

Situation Definition 69

Analysis 70

Decision 73

*Summary 73*

*Notes 74*

## **PART TWO: CASES IN MEDIA COMMUNICATIONS 77**

### **CHAPTER 4 Truth and Honesty in Media Communications 78**

**A World of Limited Truth 78**

**Truth as a Fundamental Value 80**

**The Importance of Truth 82**

**Media Practitioners and the Truth-Falsehood Dichotomy 84**

Truth in Journalism 84

Where Truth and Fiction Collide:

The Docudrama 96

Truth in Advertising and Public Relations 98

Public Relations and Journalism:

A Love-Hate Relationship 100

**Intellectual Dishonesty 101**

**Truth Telling and Approaches to Moral Reasoning 103**

**Truth and Deception: Hypothetical Case Studies 104**

#### **CASE STUDIES 105**

**CASE 4-1: Undercover Advertising in the Public Square 105**

**CASE 4-2: Crisis Management on the Web and the Framing of Truth 107**

**CASE 4-3: Hidden Cameras and the Journalist as Social Conscience 111**

**CASE 4-4: Political Communication on the Net: Is Voter Targeting Responsible Behavior? 115**

**CASE 4-5: The Careless Chaperons and the Unbridled Teens 117**

**CASE 4-6: Digital Photography and the Manipulation of Reality 119**

**CASE 4-7: Tainted Research and the Right to Know 122**

**CASE 4-8: Vow of Silence 125**

*Notes 128*

### **CHAPTER 5 The Media and Privacy: A Delicate Balance 132**

**Ethics and Privacy: The Search for Meaning 132**

**The Value of Privacy 133**

The Emergence of Privacy as a

Moral Value 134

Privacy as a Legal Concept 136

**The Need for an Ethics of Privacy 137**  
     Basic Principles 137  
     Data Mining and Privacy in Cyberspace 139  
**Privacy and the Journalist: Some Special Problem Areas 140**  
     Contagious Diseases and Disabilities 141  
     Homosexuality 142  
     Sex Crimes 143  
     Juvenile Offenders 145  
     Using Children as Sources 146  
     Suicides 147  
     Secret Cameras and Recorders 149  
     Accidents and Personal Tragedies 150  
     Computers and Database Journalism 151

**The Search for Journalistic Guidelines 153**

**Advertising and Privacy 154**

**Privacy: Hypothetical Case Studies 155**

**CASE STUDIES 155**

CASE 5-1: News Values versus Privacy: The Case of “Designer Baby” Anna Marie 155  
 CASE 5-2: The Supreme Court Candidate’s Untimely Withdrawal 158  
 CASE 5-3: The Pregnant Place Kicker 161  
 CASE 5-4: The Massacre at Langdale High and Laura’s Secret Diary 164  
 CASE 5-5: Electronic Billboards on the Freeway and Motorist Privacy 167  
 CASE 5-6: The Right to Die with Dignity 170  
 CASE 5-7: Cyberspace Data Mining as a Public Relations Tool 172

*Notes 175*

**CHAPTER 6 Confidentiality and the Public Interest 178**

**The Principle of Confidentiality 178**

**The Justification for Confidentiality 181**

**Seeking Disclosure: the Moral Position of the Actor 182**

**Confidentiality in Journalism: Some Special Concerns 184**

    The Case for and against Confidentiality 184

    A Delicate Balance: Confidentiality and Competing Interests 187

**Changes in the Reporter–Source Relationship 187**

**The Principle of Confidentiality: Hypothetical Cases 188**

**CASE STUDIES 189**

CASE 6-1: Guarding a Secret about a Military Hero 189  
 CASE 6-2: A Public Relations Challenge: Fraud in a University’s Basketball Program 193  
 CASE 6-3: Allegations of Sexual Harassment: Newsworthy or Political Dirty Tricks 196  
 CASE 6-4: Gender Norming and the Admiral’s Public Relations Problem 198  
 CASE 6-5: Attorney–Client Privilege and the Public’s Right to Know 202  
 CASE 6-6: Client Confidentiality in Radio Sales 205  
 CASE 6-7: The Student Newspaper and Faculty Evaluations 206

*Notes 209*

**CHAPTER 7 Conflicts of Interest 211**

**Conflicts of Interest: Real and Imagined 211**

**Recognizing Conflicts: The Most Troublesome Terrain 213**

    Conflicting Relationships 213  
     Conflicting Public Participation 219  
     Vested Interests and Hidden Agendas 223

**Approaches to Dealing with Conflicts of Interest 225**

**Conflicts of Interest: Hypothetical Case Studies 225**

**CASE STUDIES 226**

CASE 7-1: The PR Practitioner as Political Activist 226  
 CASE 7-2: DNA Testing: A Journalist’s Call for Justice 228

- CASE 7-3: The NABJ and Divided Loyalties 231
- CASE 7-4: A Witness to Genocide 233
- CASE 7-5: A Television Station's Conflicting Messages 236
- CASE 7-6: Campus Journalists and the Tobacco Wars 238
- CASE 7-7: Switching Sides in Public Relations 241
- Notes* 244

## **CHAPTER 8 Economic Pressures and Social Responsibility 247**

- Economic Interests versus Moral Obligations 247
- Concentration of Media Ownership 248
- The Alliance of Mass Media and Marketing 251
- The Role of Advertising 255
- The Media's Lifeline: The Ethical Challenges of Commercial Sponsorship 255
- The Challenges of Cyberspace 258
- Product Placements 259
- Economic Pressures: Hypothetical Case Studies 260

### **CASE STUDIES 260**

- CASE 8-1: Sports Reporting: Who Controls the Content? 260
- CASE 8-2: Web-Based Ads and the Search Engine's Search for Financial Stability 263
- CASE 8-3: Impotency Drugs and the Promotion of Sexual Pleasure 266
- CASE 8-4: The Alumni Magazine: Journalism or Public Relations? 269
- CASE 8-5: Product Placement in Prime Time 272
- CASE 8-6: Slain Civil Rights Heroes as Commercial Props 274
- CASE 8-7: The Junket as a Public Relations Tool 276
- Notes* 278

## **CHAPTER 9 The Media and Antisocial Behavior 282**

- The Influence of the Media on Behavior 282
- Media Lessons and Moral Responsibility 283
- Antisocial Acts and Professional Obligations 283
- The Media's Influence on Antisocial Behavior 284
- The Media and Civility 293
- Uncivil Behavior 293
- Hate Speech 294
- Dirty Tricks 296
- The Media and Antisocial Behavior: Hypothetical Case Studies 297

### **CASE STUDIES 297**

- CASE 9-1: Animals as Mediated Entertainment: Property or Moral Beings? 297
- CASE 9-2: Online Ads for AIDS Drugs and the Promotion of Unsafe Sex 300
- CASE 9-3: Investigating Child Pornography: Limits of the First Amendment 303
- CASE 9-4: Hiring the Criminal Element for Nation Building: Laytel's PR Problem 305
- CASE 9-5: Sports Trash Talk and the End of Innocence 308
- CASE 9-6: Alcohol Ads in the Campus Newspaper 310
- CASE 9-7: Online Links to Terrorist Home Pages 313

*Notes* 316

## **CHAPTER 10 Morally Offensive Content: Freedom and Responsibility 319**

- Society's Surveillance of Offensive Material 319
- Pornography, Indecency, and Moral Responsibility 320

**Offensive Speech 325****A Matter of Taste: Shocking and Disturbing Visuals 326****The Lingering Legacy of Blasphemy 329****The Case for Moral Limits 330**

The Harm Principle 330

The Paternalism Principle 330

The Moralism Principle 331

The Offense Principle 331

**The Case against Moral Limits 331****The Search for Standards 332****Morally Offensive Content: Hypothetical Case Studies 333****CASE STUDIES 333**

CASE 10-1: The College Newspaper Columnist as Resident "Sexpert" 333

CASE 10-2: A Condom Crusade Takes on the Vatican 336

CASE 10-3: Live! From Death Row! 338

CASE 10-4: *The Resurrection Conspiracy*: Blasphemy or Artistic Freedom? 341

CASE 10-5: Cyberporn and Free Speech 344

CASE 10-6: The Reparations Ad and the Limits of Free Speech 346

CASE 10-7: The Controversial Wedding Photo 349

Notes 351

**CHAPTER 11 Media Content and Juveniles: Special Ethical Concerns 353****Juveniles and Cultural Paternalism 353****Influences on the Juvenile Audience 355**

Movies 355

Television 357

Advertising 358

**The Juvenile Audience: Hypothetical Case Studies 361****CASE STUDIES 362**

CASE 11-1: Madison Avenue's Youngest Consumers 362

CASE 11-2: The Suspended Football Players 364

CASE 11-3: *Nottoway Landing's* Cult Following among Young Female Viewers 367

CASE 11-4: Teen Therapy on the Airwaves 370

CASE 11-5: Advertising in the Public Schools 373

CASE 11-6: Video Games and the Promotion of Incivility 375

Notes 378

**CHAPTER 12 Media Practitioners and Social Justice 381****Social Justice as a Dominant Moral Value 381****The Principle of Formal Justice 382****Media Practitioners and Social Justice: Two Views 382**

The Libertarian Concept of Justice 383

The Egalitarian Concept and Social Responsibility 384

The Mainstream: A Philosophical Blend 385

**Social Justice and Ethical Decision Making 395****The Media and Social Justice: Hypothetical Cases 396****CASE STUDIES 396**

CASE 12-1: The Jewish Reporter: Religion and the Workplace 396

CASE 12-2: Jury Deliberations as Reality TV 399

CASE 12-3: Diversity in the Public Relations Workplace: Race and Social Justice 402

CASE 12-4: The African American Publisher and Divided Loyalties 406

CASE 12-5: International Public Relations,  
Morality, and Social Justice 408

CASE 12-6: Environmental Justice and  
Media Access 411

*Notes* 414

## **CHAPTER 13 Stereotypes in Media Communications 417**

**Stereotypes and Value Formation 417**

**The Role of Stereotypes in Media**

**Content 420**

Racial and Ethnic Minorities 421

Female Stereotypes 424

Sexual Orientation and Stereotypical

Depictions 425

Older People 427

People with Disabilities 428

People with Mental Illness 428

**Strategies for Confronting Media**

**Stereotyping 429**

**Stereotypes and the Media: Hypothetical**

**Case Studies 430**

### **CASE STUDIES 430**

CASE 13-1: Dirty Laundry and the Editorial  
Cartoon 430

CASE 13-2: Framing the Gay and Lesbian  
Issue for the Public Square 433

CASE 13-3: Gender Wars and Sexual  
Stereotyping 436

CASE 13-4: The Disabled Athlete in Television  
Fiction 438

CASE 13-5: The American Indians' Battle with  
the Major Leagues 442

*Notes* 446

## **Epilogue 449**

**A Couple of Lessons from This Text 449**

**The State of Media Ethics: Mixed Signals 450**

**The Newest Frontier: The Ethical Challenges  
of Cyberspace 451**

**Toward Greater Ethical Awareness: What Can  
Be Done? 452**

*Notes* 453

## **APPENDIX 1 Society of Professional Journalists: Code of Ethics 455**

## **APPENDIX 2 American Advertising Federation: Advertising Principles of American Business 457**

## **APPENDIX 3 Public Relations Society of America: Code of Ethics 458**

## **Selected Bibliography 463**

## **Index 467**



## PART ONE

# FOUNDATIONS AND PRINCIPLES

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The first part of *Ethics in Media Communications* lays a foundation for the study of moral philosophy (ethics) and moral reasoning. To accomplish this ambitious objective, I have divided Part 1 into three chapters.

Chapter 1, entitled “Ethics and Moral Development,” begins with an overview of ethics as a subject worthy of exploration. It then documents the value of ethics instruction from the standpoint of both intellectual enrichment and professional practice. This first chapter also discusses how ethical values and attitudes are formed and how moral values sometimes collide, producing a crisis of ethical uncertainty. The theory underlying Chapter 1 is that an understanding of one’s own ethical development—a development that should continue throughout one’s lifetime—is a prerequisite for approaching the process of moral reasoning with any degree of confidence.

Chapter 2 focuses on the relationship between ethics and society. The need for a system of ethics is first established, followed by an examination of the requirements for a cohesive system of societal ethical standards. Because our ethical behavior is based, in part, on the rules and norms of society at large, the concept of moral duty and its relationship to virtuous behavior are examined. Chapter 2 also delves into the sometimes confusing relationship between law (what we are allowed to do or prohibited from doing) and ethics (what we should do). The chapter concludes with a discussion of the notion of social responsibility and how individual standards of moral conduct are reflected in media institutions’ corporate attitudes toward the public interest. Chapter 2 also considers the impact of new technologies and the information superhighway on media ethics as we begin the twenty-first century.

Chapter 3 provides the connection between ethics and moral reasoning. It examines, among other things, the philosophical foundations of moral theory and the approaches to ethical decision making that have had the most profound impact on moral philosophy in Western civilization. These theories are then combined with the principles of critical thinking to develop a “model” for moral reasoning (the SAD Formula) that will be employed for analyzing the ethical dilemmas posed by the hypothetical cases at the end of Chapters 4 through 13.



# Ethics and Moral Development

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## THE STUDY OF ETHICS: AN OVERVIEW

On May 11, 2003, readers of the *New York Times* were stunned by this front-page confession of journalistic transgression: *Times Reporter Who Resigned Leaves Long Trail of Deception*. In an unprecedented 13,900-word article, the paper then proceeded to document in painful and intricate detail how 27-year-old Jayson Blair had committed what it described as “journalistic fraud” in at least half the articles he produced as a national affairs reporter. “The widespread fabrication and plagiarism,” lamented the *Times*, “represent a profound betrayal of trust and a low point in the 152-year history of the newspaper.”<sup>1</sup>

The Jayson Blair affair—which will be examined in greater detail in Chapter 4—undoubtedly represented, as the *Times* itself acknowledged, the nadir of the paper’s long and proud history, but its dramatic and highly publicized exposition obscures the less sensational ethical challenges confronted by media practitioners on a daily basis. This event, as embarrassing as it was to the nation’s newspaper of record, did not represent a true ethical *dilemma* because dilemmas involve moral struggles and reflection in an effort to do the right thing. Ethical dilemmas engage the conscience, which must frequently respond to two or more competing and morally

defensible courses of action. However, Jayson Blair’s behavior was indefensible under any standard of responsible journalism.

Ethical dilemmas are all around us. They are woven into the fabric of everyday life, persistently challenging our ethical sensibilities. Consider, for example, the following questions: Should I accept a music CD from a classmate illegally downloaded from the Internet, when to do so implicitly validates my classmate’s behavior? Do I have a duty to report a crime I witness? Is physician-assisted suicide a moral affront to the sanctity of life? Is it ethically permissible for a TV reporter to use a hidden camera to document unlawful activity or scandalous behavior? Does Hollywood have a moral obligation to refrain from depictions of gratuitous sex and violence? Most of us could probably provide an answer to such questions based on our feelings about an issue. But could we defend our decision based upon some established ethical principle?

This is what the study of ethics is all about—learning to justify publicly our ethical choices based upon sound ethical precepts. A course in ethics can provide the tools for making difficult moral choices, in both our personal lives and our professional lives. Through the teaching of ethical principles and moral reasoning, educational institutions can fulfill