Introduction: the need for a new ethics

Ethics, as a field of study and as a practice, should confront the deep, normative questions of its time.

Reflection on ethics is carried out by humans embedded in historical eras and in distinct cultures. All societies, no matter how rigid or traditional, face the future. They cannot avoid struggling with new problems and new ethical questions. Ethics, therefore, is not a static set of rules. It is a necessary human activity – the attempt by individuals and societies to respond to quandaries created by changing conditions, unexpected issues, and new ways of thinking.

Ethics at its best is reflective engagement with urgent problems, in light of where we have been and where we hope to be tomorrow. Reflective engagement can occur in any area of society. For example, developments in genetic knowledge call for new ethical thinking in the sciences of life. Is it morally permissible to use genetic knowledge to "design" babies, or to force citizens to be tested for genes linked to debilitating diseases? In recent times our concern about the impact of human activity on nature and on non-human forms of life has prompted the development of environmental ethics and the ethics of animal welfare.

Engagement involves the reinterpretation of norms, the invention of principles, and the development of new and responsible practices. This work of invention and reinterpretation gains urgency when basic principles come under question and when society, in whole or in part, begins a difficult transition to a new era. Today, news media find themselves in the middle of such a transition. New forms of communication are transforming journalism and its ethics. Media ethics requires urgent reflective engagement because basic values are under question and new issues challenge traditional approaches to responsible journalism. Accordingly, this book is structured around how media ethics should address these

issues, from disagreement over the definition of journalism and the value of news objectivity to the ethics of digital global media.

The context of media ethics

The context of media ethics is a media revolution of unprecedented proportions. We live at a time when technology is creating an expanding universe of media and communication tools that are available to journalists, citizens, government, and non-governmental organizations. These changes amount to more than a set of new electronic devices for disseminating information. New forms of communication are altering the nature of human society, while making possible the globalization of trade, economics, and culture. Not only is society increasingly linked through networks of media but what humans know of their world is increasingly mediated by global, interactive media. The issues of media ethics are the issues created by a media ecology that shapes how humans think, feel, and communicate on a global scale.

This media ecology is a chaotic landscape evolving at a furious pace. Professional journalists, who once dominated the media sphere, now share the space with tweeters, bloggers, citizen journalists, and social media users around the world. The future of professional journalism in various forms, such as investigative journalism at newspapers, is cast in doubt as audiences migrate online and newsroom budgets shrink. The search is on for new models of journalism, such as "not-for-profit" investigative newsrooms. Meanwhile, much has been written on how new media expands our idea of who is a journalist. This "democratization" of journalism – the spread of publishing technology among citizens – occurs as journalism acquires global reach and impact.

Ultimately, these changes challenge the foundations of media ethics. The intersection of the amateur and the professional in journalism creates both communication possibilities and ethical debates. Time-honored principles such as news objectivity are questioned. Digital media give rise to controversial practices, from using software to effortlessly alter images to using social media to invade the privacy of individuals. Journalists adopt new descriptions of themselves. They refer to themselves as "sherpas" who guide readers through the information maze; as "curators" of information; as "validators" of information; as "aggregators" of information and web sites around the

world; and as "facilitators" of online dialogue. All communicators in this global universe work to the demands of a 24-hour news clock.

The expansion of journalism is altering the nature of ethical discourse. Professionals no longer control ethical discussion about proper media practice and responsible journalism. More and more, citizens and non-professional bloggers participate in discussions on media ethics. We are entering a period where citizens and citizen journalists will play a much larger role in articulating the new "rules of the road" for responsible journalism.[1] At a time when citizens use media and engage in normative discussions, it is important that media ethics engage not only professional journalists and journalism students but also all citizens.

In sum, the media revolution is causing a simultaneous revolution in media ethics – the fifth revolution in media ethics since modern journalism began in the seventeenth century.[2] How should we reflectively engage these challenges? Media ethics must do more than point out the tension among traditional and new forms of journalism practice. It must do more than describe media trends. It must evaluate the trends and reconstruct the conceptual basis of media ethics. In the end, nothing less than a philosophical rethinking of media ethics from the ground up will do. As I will argue, we need to construct a multi-media, global media ethics.

The structure of the book

This book is a response to these challenges. It explores the concepts, principles, and questions facing news media in an age of rapid and fundamental change.

In *The Invention of Journalism Ethics*[3] I was preoccupied with the history of journalism and how its ethics had evolved to the present. In

[1] Ward and Wasserman, "Towards an Open Ethics."

[2] I describe the five revolutions in "Journalism Ethics" (Ward, "Truth and Objectivity"). The five revolutions are: (1) the invention of journalism ethics by the seventeenth-century periodic press; (2) the fourth-estate ethics of newspapers of the eighteenth-century Enlightenment public sphere; (3) the liberal ethics of the nineteenth-century press, and (4) the professional ethics of the mass commercial press during the late 1800s and early 1900s. Today, the media revolution calls for an ethics of mixed, global media.

[3] Ward, *The Invention of Journalism Ethics*.

this book, I am occupied with helping students, journalists, and citizens think about the future of media ethics. Yet history remains relevant. History helps us to understand how current beliefs and practices were formed; and how changing conditions require a reinvention of media ethics.

Ethics and the Media offers an entry point into the perplexing debate surrounding media. It is intended for anyone who wants to engage in serious thinking about media ethics. The book is neither a textbook of cases nor a book on theory. It is an examination of the leading issues and how media ethics should respond. The examination brings together theory and practice. Principles are explained by examples and examples lead to the formulation – and reformulation – of principles.

The book is shaped by the author's perspective on how media ethics should evolve. I do not provide a neutral account of media ethics, its issues, and its future. On specific issues, I do not balance rival views and leave it to the reader to decide. Instead, I seek to address the issues by putting forward new principles and new interpretations of traditional concepts, while I argue against other interpretations. I attempt to fairly present theories and viewpoints but, in the end, I go further: I present my perspective on the issues and draw conclusions. The upshot is an introductory text that presents my considered view of the future of media ethics. I believe this approach to media ethics is more likely to attract the reflective engagement of readers than studied neutrality. I encourage the reader to critique what I write. By questioning the text, the reader will engage media ethics.

Chapters 1 and 2 explain the nature of ethics and provide a model for reasoning about media practice. The model shows how to think systematically about various difficult situations by applying principles in a holistic manner.

Chapters 3 and 4 explain the relationship between journalism and deliberative democracy, and reaffirm the ideals of truth and objectivity as guides for media practice. Chapter 5 explores the idea of harm and offense in media ethics. It puts forward three major principles for avoiding harm in journalism, and it clarifies the principle of minimizing harm. Chapter 6 discusses a new ethics for mixed news media – a set of norms that guide both traditional and online journalism. Chapter 7 discusses how media

ethics must change to deal with a news media that is global in reach and impact.

The meaning of media

Before beginning, we need to clarify the meaning of media for this book. "Media" may refer to any means of communication, from telephone and radio to television and the Internet. Media may refer to almost any sort of "material" or device that facilitates the exchange of messages and meanings. For example, an artist may use ordinary objects as her media to create a pastiche; military commanders may use the media of satellites to coordinate soldiers in the field. Recently, we have begun to refer to web sites that allow us to interact with others as "social media."

Also, people use the phrase "the media" to refer to major news organizations from the BBC to the *New York Times*. However, as mentioned, the boundaries of "the media" today are blurred. In the previous century, it was clear who the (news) media were. They were the professional news organizations that dominated the production of news – newspapers and news broadcasters. Few people were troubled by such questions as "who is a journalist?" and "is this journalism?" Journalists were easily identified. They were the reporters and editors who worked for professional news organizations. They were "the press." Today, advances in media technology, especially the rise of the Internet, allow citizens to publish news and commentary on public affairs. They engage in what might be called "acts of journalism" at least some of the time, whether or not they call themselves journalists. Many of these citizens have no professional training in journalism and are not employed by traditional news media. Hence, notions of "the media" and "journalist" are less precise than in previous decades.

Given this expansion in the world of journalism, I use "journalist" or "news media" to refer liberally to anyone, or any organization, that engages in what once was the sole prerogative of major news organizations – the regular production of news and commentary on public affairs for an audience. Media ethics applies to anyone who engages in journalistic activities, professionals and amateurs. For stylistic variation, I use the pair of terms, "media ethics" and "journalism ethics," and "media" and

"journalism," interchangeably in the text. I am aware that media ethics is often used to refer to the ethics of a wider group of media practitioners than what we find in newsrooms. It is used to include the ethics of media advertising, public relations, marketing, and so on. These are important areas of media work but this book will not address their ethical issues directly. For the purposes of this book, media ethics is the ethics of news media, and the journalism of news media.

1 What is ethics?

Suppose that you live with your wife, Ellen, and your mother-in-law, Dorothy, who has been diagnosed with Alzheimer's disease. Dorothy, at 93, is not capable of living alone. Dorothy has become progressively more difficult to live with. Ellen has developed health problems from the pressure of caring for Dorothy. A physician strongly advises Ellen to move Dorothy to a nursing home, a move Dorothy would strongly oppose. It would be easier if you lied – tell Dorothy her move to a nursing home is temporary, while you and Ellen go on holiday.

As you attempt to decide, you experience conflicting emotions and thoughts. How can you do what is best for Dorothy, while respecting her desires and autonomy? Should you simply soldier on, allowing her to remain in your house? Or do you have to take Ellen's physical deterioration as your main concern? What is the right thing to do for Ellen, for Dorothy, and for the three of you?

Most of us recognize this situation as "ethical" because it raises questions about the correct thing to do, apart from self-interest and what is required legally. Ethical situations raise questions about values, responsibilities, and achieving certain goods while not ignoring the rights of others. Deciding on Dorothy's health care exhibits features typical of most ethical problems: pressure to decide under uncertainty; a complex set of facts; conflicting values and options.

We will work with situations of this kind throughout this book only the situations will involve media practice – what responsible news media should do across a range of typical problems. The aim of our study is twofold: (1) to clarify and critique our beliefs about what constitutes ethical media practice; and (2) to develop and improve our ethical reasoning by application to problems. "Improve" here means we act more consistently, think more deeply, reason more acutely, and reach better informed ethical

judgments. All of this contributes to the ethical life, the development of ethical citizens, and hopefully to a better world.

This chapter and the next introduce an ethical framework for understanding media ethics and for applying that understanding to major issues and cases. Be forewarned: the framework is *not* a formula for generating absolute answers. The methods of ethics do not prove conclusions as we might deduce theorems from axioms in mathematics. Rather, they provide a systematic analysis of ethical beliefs and problems. The framework has two parts. The first part, the subject of this chapter, is conceptual. It explains the nature of ethics. The second part, the subject of the next chapter, discusses how to use these ideas to analyze the problems of media ethics. We start with general concepts because it is important for our methods to be based on a clear conception of the topic, ethics.

The ethical sphere

What is ethics?

"Ethics" comes from the Greek word "ethos" meaning "character," "nature," or "disposition" – roughly, how someone is disposed to act. This notion is close to the common idea of ethics as an "internal" matter of virtuous character that motivates people to act correctly. "Morals" stems from the Latin "mores," the customs of a group. Morality as "mores" is close to the other common idea of ethics as external conduct according to the rules of a group.

The etymology of "ethics" and "morality" suggests that ethics is both individualistic and social. It is individualistic because individuals are asked to make certain values part of their character and to use certain norms in making decisions. It is social because ethics is not about every person formulating their own rules of behavior apart from others. Correct conduct is honoring rules of fair social interaction – rules that apply to humans in general or to all members of a group. We experience ethics internally as the tug of conscience. We experience ethics externally as the demands placed upon us by codes of ethics, backed by social sanction. Psychologically, one learns ethics as a set of responses shaped by social enculturation and the ethical "climate" of society.[1] My ethical capacities

[1] Blackburn, *Being Good*, 1–8.

are nurtured and exercised within groups. Also, ethics requires that I adopt a social perspective that looks to the common good and transcends selfish individualism. Ethically speaking, "how ought I to live?" cannot be asked in isolation from the question, "how ought *we* to live?"

Ethics has wide scope, dealing with the conduct of individuals, groups, institutions, professions, and countries. Ethics is demanding. It demands that we live in goodness and in right relation with each other. Ethics may require us to forego personal benefits, to carry out duties or to endure persecution. Through ethics, we articulate our beliefs about what is of greatest moral value in life. By combining internal and external aspects, we can define ethics as being disposed towards virtuous conduct in society according to certain principles and values.

General principles of ethics, such as "help others in need" and "live a life of non-violence and peace," plus more specific directives and norms, are brought together to form moral systems or codes of conduct, such as utilitarian ethics and Buddhist ethics. The Bible's Ten Commandments is one such general code. In addition, there are codes of increasing specificity for doctors, lawyers, and journalists. As a set of principles, "ethics" can refer to something singular or multiple. We can understand "ethics" as the proper name for a single ethical system. One may believe that there is only one set of correct principles and that is what ethics *is*. Or, we can think of "ethics" as a general term that refers to many ethical systems. "Ethics" as a general term resembles "language" which refers to many language systems. I prefer to use "ethics" in this plural sense, reserving "ethic" for a single set of principles such as a libertarian ethic for a free press. Yet, despite the ubiquity of rules in morals, ethics should not be identified simply with a set of rules, such as "do not steal or lie," "keep one's promises," "treat others as you would have them treat you." A set of rules is too static to capture the dynamic nature of ethics. Ethics is a practical and evolving *activity*. It is something we do. We *do* ethics when we weigh values to make a decision. We *do* ethics when we modify practices in light of new technology.

The idea of ethics as correct conduct according to rules is deficient in failing to emphasize the knowledge and skill required to determine what is correct conduct in a complex, changing world. To do ethics requires three things: (1) analysis: the articulation and justification of principles; (2) practical judgment: the application of principles and rules to issues; (3) virtuous character: a disposition to follow those principles affirmed

by (1) and (2). Ethics, therefore, has three concerns: appropriate ethical beliefs, correct application, and the disposition to act ethically.

If ethics is a dynamic, changing form of activity, then ethics is not a set of rules to be followed blindly or defended dogmatically. In many cases, there will be legitimate debate as to *whether* and *how* rules should apply. Even principles we hold dear may have to be reinterpreted in light of new developments. For example, how to apply the principle of respect for life to the issue of how long to keep a dying person alive through new technology. Moreover, the boundaries of ethics shift. As noted, in our time ethics has come to include such issues as animal welfare, protecting the environment and the rights of gay couples. Ethics is not just the disposition to adhere to rules but also the disposition to critique and improve the rules. There is an important difference between living one's ethics, as an activity, and simply following a set of rules. The former rejects the sheer acceptance of rules and conventions. Ethics requires that we follow rules that we have examined critically.

Taken as a whole, ethics is the never-completed human project of inventing, applying, and critiquing the principles that guide interaction, define social roles, and justify institutional structures. Ethical deliberation is *reason in social practice* – the construction of fair ethical frameworks for society.

Ethical experience and reflection

The starting point for ethics is lived experience. We seriously discuss ethics *after* we have had some experience in living well or badly. For anyone who asks "what is ethics?" we can reply: think about your most difficult decisions. Did you break a promise or let others down? Did you have to report improper behavior by a colleague to authorities? Did you promote your career by spreading rumors about a co-worker? Or, think about horrible and dehumanizing actions such as torturing prisoners or child abuse. The heartbeat of ethics is felt wherever people struggle to do good and oppose evil. Reflection within and upon ethics is prompted by doubt and conflict.[2] Faced with uncertainties in our experience, we draw distinctions,

[2] The idea of doubt and conflict as the origin of serious thinking was put forward forcefully by John Dewey in *Reconstruction in Philosophy*, 80–83.