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Aaron Quinn, and Anne Dunn

Media, Markets, and Morals

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Contents

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Aaron Quinn

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1

Introduction

Aims and Objectives

We live, as we are often told, in the Information Age. That age has been made possible by technological advances. Over the past hundred years or so the development of recording devices such as cameras and audio and video recorders have allowed us to capture, store, and reproduce images, text, and sound much more easily than in the past. More recently, enormous strides in electronic technology have produced devices such as radio, television, and computers, which can process vast amounts of data and transmit them accurately and cheaply across large distances to huge audiences around the world. Smart phones such as the iPhone can do all this and much more at the touch of an icon on a screen. This kind of information and communication technology (ICT) puts the world at our fingertips.

Introduction

Important as these technological developments are, they have been only one of the elements that have produced the Information Age. The other major element has been the growth of organizations – "the media" – dedicated to the provision of information to the public through the channels of mass communication opened up by those developments. The media,[1] so understood, has become part of the fabric of our everyday life. We are likely to decide what clothes we put on in the morning on the basis of the weather report we have read in the newspaper, or seen on TV. We will divert ourselves as we commute to work or school by listening to music on the radio or our iPod: when we reach our destination we might discuss information which we have gathered from the media about the state of the nation, the latest Hollywood film or scandal, or the latest baseball, cricket, or football results, or retail the views of our favorite media pundit. In times of war or natural disaster we cluster around televisions or click onto media websites to keep up with the latest news. Huge amounts of money are spent on advertising globally in an attempt to influence the food we eat, the clothes we wear, the cars we drive, the holidays we take, what we drink. Even the way we vote for candidates for political office is influenced by their ability to present themselves in an appealing way on television and radio.

Given its size and importance, the media can be placed alongside politics, education, the military, culture, and religion as one of the fundamental institutions to shape (and to be shaped by) contemporary society. Each of these institutions has its own distinctive ethical demands, challenges, and temptations: the so-called *role morality* which applies to them and the people who play a part in them.

A theoretical account of a given role morality rests on two bases. First, an identification of the particular function(s) or role(s), which an institution is supposed to play in the life of a society: the military is supposed to protect us from external usurpation, the police to uphold law and order, the education system to give us the skills we need to become autonomous, socially and economically competent citizens, and so on. Second, an account of the current conditions within which the institution must function. A practicable institutional role morality will specify how the institution's function can

be realized in the context of those conditions. Such a morality, then, is sensitive to the realities of its social setting, and as those realities change so must it. Think, for example, how what counts as an adequate education has changed over the past century, as the world has become more complex and the relations between the sexes have altered. An education system which would have served its purpose a hundred years ago when most people could function perfectly well with a primary school education would now clearly be seen as highly inadequate.

This is a book about the role morality of the media, both "old" and "new." Our first aim is to develop an overarching account of that morality. To do so, we begin by looking to the primary function of the media. As we see it, that function is to provide information to its audience. We then turn to a consideration of the main factors currently shaping and constraining the way in which that function is and can be realized. These include information and communication technologies but also, importantly, the domination of the media by large organizations, many of which are multimillion-dollar, powerful commercial enterprises. In the light of those considerations we can then address our second aim: to apply our account of the role morality of the media to particular issues which arise in media ethics, including both specific morally problematic practices and the question of how to promote ethical behavior within the media.

The extent to which we have succeeded in achieving our aims can be measured against two yardsticks. The first of these is how well our approach fits with and grounds clear moral intuitions about good and bad behavior. Let us consider two cases where members of the media have acted in ways which clearly exemplify, respectively, good and bad behavior.

Ed Murrow and "A Report on Senator Joseph McCarthy"

In the early 1950s Joseph McCarthy, Senator from the US state of Wisconsin, launched an anti-communist crusade, exploiting the

fearful atmosphere of the Cold War to summon up the specter of a country riddled with internal enemies in positions of influence. Without scruple, McCarthy implied that government agencies, as well as the media and entertainment industries, were havens for subversion. In a 1950 speech he asserted that

> The reason why we find ourselves in a position of impotency is not because the enemy has sent men to invade our shores, but rather because of the traitorous actions of those who have had all the benefits that the wealthiest nation on earth has had to offer – the finest homes, the finest college educations, and the finest jobs in Government we can give.

As chairman of the Senate Permanent Subcommittee on Investigations, McCarthy would subpoena witnesses on short notice – if they invoked the Fifth Amendment of the US Constitution, which protects against self-incrimination, McCarthy would call them "Fifth Amendment communists" and if he thought he could intimidate them, make them appear in public to be cross-examined by him. So pervasive was the Senator's influence on American society that the period in which he wielded power came to be known as "the McCarthy era."

While McCarthy's influence grew, so did that of a new form of mass media – television. In 1950, around 3 million Americans owned television sets: ten years later 50 million did. Advertisers quickly recognized the reach of television into America homes. By 1954 CBS-TV had become the biggest single advertising medium in the world. The relationship between the television networks and political power, on the other hand, was inevitably uneasy. Coupled with the visceral impact and immediacy of the medium, the ability of the networks to reach a vast audience threatened politicians' control of political discourse in a way that had not been true of older forms of media such as newspapers. At the same time, there were powerful forces encouraging the networks to support the status quo – they depended on the government for access to the publicly owned airwaves, and on their corporate sponsors for continuing profitability. Television and film workers who were accused of being communists, or who refused to answer McCarthy's questions, were "blacklisted" and denied work in the industry.

This is the background against which the actions of Edward R. Murrow, and his part in bringing about the end of McCarthyism, should be understood. In the early 1950s Murrow, already a popular radio journalist with a reputation for honesty and integrity, made the transition to the medium of TV. Together with his producer Fred Friendly, he developed the current affairs program *See it Now* (based on his successful radio show *Hear It Now*) on CBS. On March 9, 1954 Murrow broadcast a special edition of *See It Now* called "A Report on Senator Joseph McCarthy," which is seen as having been instrumental in the backlash against McCarthy and which would end his reign of terror. Given McCarthy's power and ruthlessness any attempt to publicly call him to account required a good deal of courage. Moreover, Murrow himself had been warned only a few months earlier that McCarthy had evidence of his having been "on the Soviet payroll." There was an added, implicit threat to the career of Murrow's brother, who was a general in the US Air Force. Murrow and his team had been preparing for the McCarthy report for over a year. CBS did not permit Murrow and Friendly to use CBS money to advertise the program, nor to use the network logo in the ads, so the journalist and his producer paid for newspaper advertisements themselves. But even though the chairman of CBS, Bill Paley, was close to the Republican Party and knew that Murrow's show would create a political firestorm, he made no attempt to interfere with it and just before it went to air he called Murrow to say, "Ed, I'm with you today, and I'll be with you tomorrow."

Much of "A Report on Senator Joseph McCarthy" consisted of McCarthy's own words, demonstrating his inconsistency, dishonesty, and thuggery. Calling on the American tradition of toleration and respect for civil liberties, Murrow concluded that

> We will not walk in fear, one of another, we will not be driven by fear into an age of unreason. If we dig deep, deep in our history and our doctrine and remember that we are not descended from fearful men, not from men who feared to write, to speak, to associate with, and to defend causes which were for the moment unpopular . . .

After the broadcast, tens of thousands of letters, telegrams, and phonecalls poured into CBS, running 15 to 1 in Murrow's favor. In

December of that year, the US Senate voted to censure Joseph McCarthy, making him one of the few senators ever to be so disciplined; he died in hospital three years later.

"A Report on Senator Joseph McCarthy" is often referred to as "TV's finest hour."

Jayson Blair

On April 29, 2003 Howard Kurtz wrote a story in the *Washington Post* titled "N.Y. Times Article Bears Similarities to Texas Paper's." So striking was the overlap between a story written by *San Antonio Express-News* reporter Macarena Hernandez about a local woman whose son was missing in Iraq and that appearing a week later in the *New York Times* under the byline of Jayson Blair, that the editor of the *San Antonio Express-News* sent the editor of the *Times* a letter of complaint.

Within two weeks Blair, who had been a reporter on the *Times* for four years had resigned, as the story emerged of an astonishing pattern of fraud in the published work of a successful young journalist at the largest and most prestigious metropolitan newspaper in the United States. In its own report on the scandal the *Times* noted "problems" in many of Blair's articles, including almost half of those he had written after being promoted to cover national assignments, and detailed his modus operandi, including plagiarism, fabrication of comments, and selection of details from photographs to create the false impression that he had traveled to a scene he was supposedly reporting on, or talked to someone he was supposedly interviewing. What the *Times* found more difficult to explain was its own role: members of its staff had expressed misgivings about Blair throughout his time there, with its metropolitan editor in 2002 warning administrators in an email that "We have to stop Jayson from writing for the *Times*. Right now."

As the *Times* lamented, these events "represented a low point in the 152 year history of the newspaper." (New York Times 2003)

Murrow's actions are generally seen as heroic, while everyone thinks Blair's behavior is shameful. Up to a point we can explain our reactions through the use of our ordinary moral categories: Murrow acted bravely and stood up for free speech against the forces of repression; Blair was deceitful. But we need to be able to say more than this. Murrow acted well not just as a person but as a broadcaster. Moreover, he did not act alone; he relied on support and resources from his producer and sponsors. We noted that his broadcast is often referred to as "TV's finest hour." Similarly, concerns about Blair's ongoing fraudulent behavior should focus not simply on the harm he did to readers and colleagues but what it showed about the pressures under which even the most eminent, powerful, and well-resourced media organizations operate, and how those pressures are leading to outcomes that undermine the trust which is necessary for the successful functioning of the media. Implicit in these responses to these two cases is the idea that the media has special moral responsibilities. What are these responsibilities, where did they come from and who are accountable for them? The approach we adopt throughout this book is designed to answer questions such as these.

The second yardstick against which to measure our account of media role morality is the extent to which it helps to illuminate morally contentious issues in the media. For example, there is an ongoing debate about perceived trends towards greater media concentration and conglomeration (we consider this debate in more detail in Chapter 6). At the heart of many of the concerns expressed about those trends is the feeling that they are tending to subvert the proper functioning of the media, which is to inform its audiences truthfully, credibly, reliably, and in a trustworthy manner. But unless we have a well-worked account of what that function is, and the conditions under which it can be achieved, and furthermore, the conditions under which the media's function can itself be overridden by the higher moral claims of a universal public morality that applies equally to all of us by virtue of our common humanity, we cannot judge whether those concerns are well founded. The case studies we use throughout the book – real-life

examples of morally interesting situations – serve as both tests and illustrations of our approach.

In the rest of this chapter we outline the contents of the book.

The Structure of the Book

Chapters 2, 3, 4: Surveying the ethical landscape

In the first part of this book we consider in broad terms the nature of media ethics. We have identified the provision of information as the essential function of the media. The very concept of information implies certain ethical responsibilities on the part of those who produce and disseminate it. Let us give a very simple example to help explain why. A student on her first day of university asks a member of staff how to find a building where her class is to be held. The staff member provides clear and accurate directions – he gives her the information she needs – and the student makes her way to class without difficulty. We can derive a number of general conclusions about the nature of information from this story. First, information involves both a sender and receiver. Second, it must be accurate – if the staff member had given the student the wrong location of the building she would have received either misinformation (the accidental or negligent provision of inaccurate information) or disinformation (the deliberate and purposeful provision of inaccurate information). Third, information must be accessible to its target audience – if the staff member had spoken in a language which the student could not understand, no information would have been provided. Finally, the receiver of the information must trust the sender: the student came to hold a new true belief (in other words, knowledge) because she took the fact that the staff member said that the building was in a particular location as a good reason to believe that it was. If she thought that the staff member lacked the relevant knowledge, or had no interest in accurately relaying the knowledge he did possess, she may not have accepted his testimony, even if it was in fact true.

Like the university staff member in the story, members of the media present themselves to the public as providers of information. Thus, the media takes upon itself certain behavioral obligations which are derived from the inherent nature of information itself. We define those collectively in Chapter 2, as the *inherent normative structure of information* (note that the word "normative" as used here simply refers to the norms, rules, or principles which determine and obligate the ways in which all disseminators of information, including the media, should behave). If, as we claim, the media's defining task is to provide information, it follows that its practitioners must adhere to a number of ethical obligations. First, they must try to ensure that what they present to others as information is accurate. Second, they must present information in a form that is accessible to target audiences. Finally, they need collectively to build and retain the trust of their audience, by ensuring, among other things, that the material they present is factual, credible, and reliable and that neither individually nor as organizations are they seen to have ulterior motives that might lead to the distortion or suppression of inconvenient truths. In Chapter 2 we also point out that role moralities must be consistent with, and constrained by, the morality that applies to us all simply by virtue of our common humanity, what we call *universal public morality*.

We noted above that an account of the role morality of an institution cannot simply be read off the function(s) it is supposed to serve, but must take into account salient facts about the setting within which the institution operates. A notable, indeed defining, fact about the media in modern societies is the centrality of (often very large) organizations involved in the media as businesses. Like any commercial enterprise, such organizations aim to stay profitable and return dividends to owners and shareholders and to maintain jobs for their employees. On the face of it, these are legitimate aims. However, conveying information accurately and fairly may not always be the best way to gain financial rewards: there is a tension between the information-related and money-making functions of commercial media organizations. Any attempt to understand the ethics of the media in societies such as ours must

address this tension and the issues which arise from it. This is what we do in Chapter 3, where we argue that the money-making functions of the media should be seen not as ends in themselves, but rather as means to the ultimate end of the media, that is, to inform accurately, truthfully, credibly, reliably, and fairly. So understood, the various apparent ethical conflicts between the different functions disappear.

The media as we know it has been shaped by the technologies available for producing, gathering, and disseminating information. Given the expense and organizational complexity involved in reaching large audiences, individual disseminators of information have had to rely on, and be supported by, large media organizations. This has resulted in the growth of the media professions, such as journalism, photography, editing, and so on, whose members have developed specialized skills, which they sell to media organizations. These groups tend to foster a strong sense of collective identity in their members, transcending their relationship with any particular media organization. Part of that collective identity is a shared understanding of the role morality which applies to the group, in their role of providing information on matters of public interest or of interest to the public. In Chapter 2 we look at this role morality, focusing in the first instance on journalism. Particular roles require distinctive virtues. Technical skill is often a necessary component of such role-relative virtues. But it is not sufficient: a grasp of the way in which that skill should be used to further the defining purpose of the activity is also required. Professional media groups engage in an ongoing process of dialogue and negotiation to produce a working consensus as to what counts as morally acceptable practice, as we illustrate through a consideration of some recent well-known cases.

The specialized media professions arose because the technology they used to reach the public was costly and required a high level of expertise to operate. Correlatively, recent developments of cheaper and easier means of producing, recording, and transmitting information are allowing a far broader range of people to play the roles that have traditionally tended to be occupied by media

professionals. This ever growing trend is breaking down the rigid distinction between producers and audiences. The growth of new, digital media, which we consider in Chapters 2 and 4, is a morally complex and challenging phenomenon. On the one hand, it broadens and "democratizes" the sources of information. On the other, it means that many of those who are now able to contribute to the media do not have the competence, or commitment to or interest in the professional role morality that has traditionally provided at least some guidance to media practitioners. In the new media what passes as information is often no more than mere opinion or opinionated, uninformed comment. And opinion, unlike information, need not be and often is not accurate, credible, reliable, or trustworthy. Information respects facts; opinions often do not.

Chapters 5, 6, 7: Navigating the ethical minefield

In the first part of the book, we developed an account of media role morality. In this section, we use that account to address some of the major systemic difficulties facing contemporary media organizations and workers.

One such issue is the delineation between different media fields, in particular journalism, advertising, and public relations. The skills which media professionals develop can often be applied across these fields. Many former journalists find work in public relations or advertising, for example. Moreover there is a complex interdependence between these fields. Newspapers and TV stations depend on advertising revenue to remain viable. Public relations (PR) people see the news media as an important avenue for presenting their clients in a favorable light to the public. In Chapter 5 we look at the relationship between journalism on the one hand and public relations and advertising on the other. Each of these activities has its particular primary purpose: journalism to inform, advertising to persuade, and public relations to present a client or a project in a favorable light. Each of these activities is legitimate within its own sphere. Problems arise, however, when what is actually an advertising message in the form of an *advertorial*, or a public relations

advocacy in the form of a *media release*, are disguised to look like journalism commentary or news, in newspapers or on radio, television, and increasingly the Internet in so-called "independent" blogs. For those involved there are often powerful reasons for allowing this to happen: advertisers or PR people can exploit the credibility which journalism has with its audience to sell their persuasion messages more effectively, while journalists can benefit from receiving ready-made material. For the media this might seem like a win-win situation, but for the public such practices are a total loss. Such behavior is deceptive: it amounts at best to misinformation (the accidental or negligent dissemination of false "information") and at worst to disinformation (the deliberate and purposeful dissemination of false "information"). Moreover, its discovery subverts the very trust which is a condition for its success and which, as we have argued above, media organizations and their employees have an obligation to maintain simply by virtue of their role as information providers.

Even more crucially, actions which blur the distinction between journalism on the one hand, and advertising and public relations on the other, are a form of *corruption*. Such actions are not just bad in themselves; they also tend to undermine the very goals to which the media as an institution is supposed to be dedicated to achieving. Since the media itself is one of the primary bulwarks against corruption through its capacity to uncover and publicize wrongdoing, media corruption is particularly pernicious. Given human frailty it is impossible to stamp out corruption altogether. However, if we are clear about what counts as media corruption and can identify its major causal factors we are at least in a position to guard against and to respond to it. In Chapter 6 we consider the concept of corruption as it applies to the media. The notion of corruption as it applies to an institution, we claim, presupposes the prior notion of a morally legitimate institution, or a morally sound role. Media corruption involves actions or processes that tend to undermine individuals, organizations, or the media as a whole in carrying out their proper functions. In a word, it undermines their role morality. We draw on the account of the purposes of the media developed in

the first part of the book to identify cases of corrupt practices, and to diagnose what makes them corrupt.

In Chapter 7 we deploy the account of media corruption developed in the previous chapter to illuminate ethical issues in photojournalism, particularly in relation to the manipulation of images. The old sayings "A picture is worth a thousand words" and "Seeing is believing" reflect both the density of information which can be transmitted pictorially, and the greater credibility of a photograph, compared to words. A photograph seems to have an inbuilt guarantee of truthfulness which words lack. No doubt this guarantee has always been somewhat shaky, but it has become especially dubious in the light of technical developments which have made the manipulation of photographic images, both in the camera and post-shoot, far easier than in the past. At the same time, such images have become ever more common as bearers of information. Photographs as they appear to viewers are the product of a series of choices made by a photographer, an editor, and so on. A central question we address in the chapter is which choices are consistent with the demands of media ethics, and which tend to deceive and lead to loss of trust between media and audience.

Chapters 8, 9: A sustainable ethical environment

An institutional role morality can be seen as having two interacting parts. The first is the content of that morality: the overall purposes of the institution, the means that can legitimately be used to achieve those purposes and the rights and duties of members of the institution. The second part specifies the institutional arrangements that should be put in place to ensure that the role morality is actually effective: how it is applied, promoted, and reinforced.

In Chapter 8 we look at means for the regulation of media ethics, and show how problematic such regulation is. In many areas of business, required standards of behavior are specified by the law. In traditional professions such as law and medicine, regulatory power is concentrated in the hands of professional bodies which set conditions, including ethical behavior, for qualifying and continuing to

practice, and impose sanctions when those conditions are not met. However, both of these tools are unsuitable for the media since they are incompatible with the notion that is at the heart of an effective media, that of freedom of the press. Further, the structure of the media industry, with its dominance by large corporations, also generates problems for the regulation of media ethics. Given the dependence of most media workers on their corporate masters, it is difficult for media professionals to achieve the degree of autonomy which more traditional professions possess. And there are ongoing concerns about the regulation of ownership of the media, with fears that the increasing concentration of media groups places an un-healthy degree of control of public discourse in too few hands and reduces the diversity of voices that is the sign of a vital public sphere. Against the background of these real concerns and difficulties we suggest ways in which, nevertheless, institutional role morality can be promoted in the media, including self-regulatory schemes, codes of ethics, media ombudsmen, and professional educational programs.

Much of this book argues, in effect, that media ethics cannot simply be reduced to the goodness or badness of individual practitioners. Ethics needs to be "designed into" the institution of the media, through the kinds of means indicated in the previous paragraph. Indeed the notion of media ethics is already presupposed in the function of the media: to inform the public truthfully, reliably, credibly, fairly, and in a trustworthy manner. And as we noted earlier, that function has an inbuilt ethical component by virtue of the inherent normative structure of information. One of our primary aims in this book is to disclose and make visible the inherent ethical nature of information and its communication, to which the media as providers of information are necessarily committed.

Nevertheless, ethics is ultimately a matter of individual choice. Over time each of us has internalized a set of attitudes and commitments – a moral character – which we express in our behavior. In Chapter 9, we emphasize the importance of character in governing the behavior of people in the media, given the barriers to other external forms of influence and control. One of the most