SOME THOUGHTS ON JOURNALISTIC ETHICS*

By John C. Merrill

It is really impossible to divorce the problems and basic issues of journalism from the ethics of journalism. Stemming from these basic issues are such questions as these: What ought journalism to do for its practitioners, its audiences, and its society? What standards (if any) should journalists adhere to in the practice of their journalism? What is good journalism, and what is bad journalism? What should the journalist do in a particular situation?

Journalistic ethics may be defined as the branch of philosophy which helps journalists determine what is right to do. It is, in a sense, *moral* philosophy-a normative science of conduct-with conduct considered as *voluntary* actions. Journalistic ethics should set forth guidelines, rules, norms, codes principles which will lead-*not force*-the journalist to make certain moral decisions. Ethics should give the journalist standards by which he can judge actions to be right or wrong, good or bad, responsible or irresponsible.

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Although it has always been difficult to discuss ethics, it is especially so today, for the entire intellectual atmosphere is filled with voices-often unrestrained, arrogant, and undisciplined-crying to be heard, insisting to be taken seriously when discoursing on ethical matters. This is indeed the day of egalitarianism, freedom, intuition, and relativity, and these emphases have projected themselve into the field of ethics.

Listen to the voice of the young university graduate, especially if he has a liberal arts education, as he articulates his concept of ethics before stepping into journalism. His independent spirit, his suspicion of external standards, his egoistic arrogance, and his cynicism about tradition are manifest in his typical liturgy, which goes something like this:

> What I do, I do freely, naturally and instinctively, and therefore what I do is the right thing for me to do. I do today what I may not do tomorrow; I am unpredictable in my ethical behavior; I am natural and uninhibited, freely involving myself, committing myself to the issue and event of the moment, and accepting for myself the responsibilities which I feel I need for my commitment. I am the existential man, the unimprisoned journalist, the master of my own committed self. My ethics is my own; I can never project it to anyone else or to myself at any other moment. I am responsible only to myself for my own action *now*, in this situation, in this place.

> I cannot be concerned about your morality or the ethical standards of my "profession"; I must do my ethical "thing" in my own way; you are free to do yours.

The foregoing words might well come from the lips of thousands of new Existential Journalists who are pouring from Academe into the media of mass communication. And these words probably express about all they have to say about morality, for they look upon ethics and moral codes as restricting their freedom and imprisoning them in the value systems of others. This "guidance" which they see ethical "codes" imposing upon them, therefore, must be repelled; they must be guided only by their own existential whims, instincts, and fancies–not by externally "imposed" values. So, here they come: the New Jaurnalists, armed with a freedom, individualism, dedication, and commitment seldom found in the history of journalism. Here they come onto the stage of modern jouanalism, assuredly–even arrogantly—jousting with windmills of a society they view as corrupt, and what is more interesting, jousting with ethical lances fashioned in their own individual shops and tipped with points of untried metal.

It is difficult to speak of ethics with such as these persons; they are too self–assured, too certain of their relativistic value systems, too flamboyant and scornful of anything which smacks of established ways of doing things and judging things. These are the journalists who are currently manning the

underground (misnomer!) newspapers; these are they who are championing "advocacy" journalism; these are the ones who are the *subjectivists*. It is my contention that they are growing rapidly in number and vitality, and that the older, traditionally oriented journalists are either dying out or adapting themselves to many of the ideas of the new Existential Journalists. It would be wrong, certainly, to imply that *all* young journalists have this antagonism toward ethical standards. For there are, indeed, many young journalists of a more conservative bent, who respect standards, need them, defend them, and seek to belong to groups and associations which take them seriously and try to inculcate them in all their members.

Two Basic Journalistic Orientations

Before getting into a discussion of ethics *per se*, let us consider two main tendencies or orientations. These, undoubtedly, lead to the kind of ethical outlook the journalist adopts, and it is well that we consider them before dealing specifically with ethics.

1) The "people-oriented" journalist. This person makes most of his journalistic decisions on the basis of the way he thinks they will affect *people:* others and/or himself. He is either an egoist or an altruist-and sometimes a little of both. His concern is with people, and he takes their feelings and areas of sensitivity into consideration before he writes a story. His news determinations and decisions are made largely on

the basis of the way he thinks they will affect himself and others connected with the story. It might be called a "personal consequence" journalistic orientation; certainly it is very much a *subjective* one.

The "people-oriented" journalist, therefore, places people always at the center of his journalism-not in the traditional sense of "names make news," but in a more subjective sense whereby he considers the *impact* of his journalistic actions on these people. A certain story may be slanted one way because of the journalist's concern for a particular person, because he has a certain bias for or against a participant in the story or on the periphery of the story. The journalist's sensitivity to, or bias toward, certain people will determine to a large degree *what* will be considered news in the first place; it will also determine the *emphasis* or the *slant* provided it--what really will be omitted, selected or played up or down.

In other words the "people-oriented" journalist will be largely controlled (have his journalism determined) by his sensitivity to people-himself included-connected with the story. *People* are constantly having an impact on news determination, emphasis, and writing. The journalist's main concern is with the way the story will affect people. This is very much the "involved," subjective orientation, and it is vastly different from the second orientation which we now come to consider-the orientation of dispassionate neutralism.

2) The "event-oriented" journalist. This journalist is concerned with facts, with events, with circumstances *per se.* Of course, he knows that people are important in news stories, but he is little concerned about the *consequences to people related to the news stories.* He cares only about the event. He stands as aloof as possible, ever the "neutralist," telling the story and letting the proverbial chips "fall where they may." He is fundamentally the reportorial objectivist.

He makes a constant attempt not to become involved with people, and he tries to keep his own feelings out of the story. He tries to detach himself from all personal opinions, attitudes or biases for self or for others so that these "feelings" about people will not determine what he considers news or how he will treat this news. He seeks to be dispassionate and objective in his news presentation. The important thing for him is to get the facts; if they are connected with persons (and they almost always are), then so be it. Facts, to the "event-oriented" journalist, are indeed sacred; they are essential to a report of the total event, the account of what happened.

Ethics: A Matter of Concern

The two orientations just discussed, without a doubt, largely determine the kind of ethics a journalist adopts. The person who is an egoist or an altruist, or both will find that his ethics follows or supports his basic psychological orientation. And his concern with ethics will be quite different

from that of the person who is basically an objectivist or neutralist, who tries to keep himself aloof from his journalism, and who focuses on the event or facts rather than on the way his journalism may affect people.

In fact, I might say that these two orientations are really *a part of* a journalist's ethics, at least to the degree that they are deterministic. If the journalist is worried about the *consequences to people* in his news story, for example, he is going to march to a different ethical drum than is the journalist who seeks to relate the story as accurately as possible and is not very sensitive to the consequences of his story.

Ethics is truly a personal matter, personal in the sense that it arises from a personal *concern* for one's conduct. It is also personal in the sense that one's conduct is self-directed and self-enforced; the person voluntarily follows a code of conduct because he feels it is the thing to do. There are those who wish that ethical standards could be externally imposed and *enforced*, that people could be made to be ethical. This, of course, is contradictory to the concept of ethics, for ethics is uninforceable. When a person's conduct is enforced, he is then under legalism, with free will taken away. Ethics, then, is a code of conduct that is self-enforced, and, in general, is considered to be *rationally arrived at*. Reason enforces one's ethics. It might be said that a person's ethics is (1) personal, (2) directive or predictive, and (3) rational. It is personal in the sense discussed above; it is predictive in that it serves as a guide for conduct and indicates pretty

well what one can be expected to do in a certain situation, and it is rational in that *reason* dictates its acceptance.

Regardless of the particular form of ethical decisions made, the important thing for journalists is that they have a *concern* for ethics. They should care about ethics; they should not be amoral or non-ethical in their activities. The person in journalism (like any person) needs to have values and standards for himself-rationally arrived at and rationally enforced. * Having these at least indicates that the person is trying, is thinking about proper conduct, and is at least interested in being a moral person. Ethics or moral philosophy, then, must be a "concern" of the journalist, regardless of what Code of Ethics (written or unwritten) he subscribes to. Personal codes are, of course, always changing to some degree, evolving, becoming refined. But they should always be becoming more *demanding*-not less demanding-on the individual journalist. Demanding in what respect? Demanding in the sense that the standards become ever more difficult to achieve and that they become increasingly more rational. Ethics-at least a concern for ethics-instills in the journalist a continuing sensitivity to his every action, to his every decision; it integrates or blends with his total search for truth, and it gives him greater awareness of himself, of others, of the consequences of interpersonal relations. A concern with ethics is the key plank in any

* There are many *existential* persons, of course, who will not agree that rationality is essential to "moral" journalistic conduct.

journalistic platform; it is the "alpha and omega" of public communication.

Ethical Theories or Systems

Like so many other important and complex subjects, ethics is looked at from a number of perspectives. There are numerous ways of classifying and analyzing ethical theories and systems; names and labels have proliferated as philosophers have ranged the frontiers of moral philosophy down through the years, seeking new insights and forming new "schools". Consequently we have a multitude of labels for the various ethical theories and concepts. There is no need here to confuse the reader with all of these; it is enough to say that there is a system of ethics which must surely be agreeable to almost every person. If not, then one is free to combine ethical theories into a personalized composite system compatible with his own philosophical position at a particular time.

It would seem that *all* systems of ethics are based on the concept of man's freedem, for man is truly free to accept (or devise) for himself his ethical position. But what about the person who uses his freedom *not* to accept an ethical position? Then, we must say that he is beyond the scope of this discussion; he is, *as man* involved in society and civilization, expected by others to be ethical, *i. e.*, to have a concern for ethics. If he is not so concerned, then he must be classified as *immoral*-or to be kinder, as *amoral*. Ethics implies

self-established-and-enforced rules, and if a person has no such rules, then he is simply playing semantic games with the concept of freedom. Immanuel Kant, the eighteenth century German Idealist who is usually considered the "philosopher's philosopher," said that man is free only by setting up rules for himself, and that no person's conduct can be moral if there is any outside compulsion such as reward or punishment.

Kant, then, put his finger on the key aspect of ethics: *self*-enforcement or *self*-legislation. And he expressed this idea in his famous "Categorical Imperative" which enthroned *duty* and which said in effect that we are required to (duty-bound to) act in such a way that we would be willing to see our conduct become a universal law.* Kant was stressing the socialization of ethics; he was saying that, although ethics is indeed personal, a person only acts ethically or morally when he relates or identifies himself in principle to all mankind. Kant's theory also implies rationality, for a person must use reason to determine his own duty. Thus rational deliberation is basic to an ethics-at least in Kant's view.

As I have said, there are many ways to classify ethical theories and although I shall not attempt to catalogue all of them, I will mention briefly a few of the most prominent

* See H. J. Paton, *The Categorical Imperative: A Study of Kant's Moral Philosophy* (London: Hutchinson & Co., 1947; New York: Harper & Row, 1967).

typologies.*

Absolute/relative. The ethical absolutist believes that there is one universal and eternal ethical code which basically applies to everyone in all ages. He contends that changing opinions, traditions, and conditions make no significant difference in this absolute moral code. There are actions which are "right" and actions which are "wrong"-regardless of the place, time, or special circumstance.

The ethical relativist, on the other hand, has his morality tied more closely to emotions. He puts considerable faith in intuitions, inclinations and feelings. He says, in effect, that we have no right to make judgements about the ethics of others, for these judgements only indicate a bias-a prejudice-on our part. He sees no moral superiority of one code over another, an idea which would-if carried very far-indicate that no action (or man) is any better than another. The relativist also holds that the moral standard varies with different circumstances, at different times, in different cultures.

Objective/subjective. The ethical objectivist might be considered an advocate of absolute ethics; he sees all absolute standards in ethics as necessarily objective. Ethical standards are objective in the sense of being formed *outside the person*; they are rational, based on something other than feel-

* The terminology and typology used here is adapted from several sources, but largely from William Lillie, *An Introduction to Ethics* (London: Methuen-University Paperbacks-1961).

ings or opinions. Something is "right," or "wrong"then, independent of the way the person might subjectively *feel* about it.

The ethical subjectivist, taking the contrary view, looks at ethics as simply the opinion or preference of a person; ethics to him is a form of relative morality which views the variability in moral judgements as caused purely and simply by the *mental state* of a particular person. For example, a "good" action for me is one which I myself like.

Attitudinal/consequence. An attitudinal ethical theory, a variety of subjectivism, is one defining a right action as one which a person feels disposed toward. In other words, conduct is "right" if it is harmonious with one's "attitude." A consequence theory is quite different: it is closer to the objectivist position in that it places standards of value *outside* the person--specifically *in the consequences* of the action. So

it is a kind of "hindsight" theroy, determining the goodness or badness of an action only after the consequences have been noted. Utilitarian ethics, as espoused by such men as Jeremy Bentham and J. S. Mill, in which the benefits to the greatest number of persons would be taken as the moral yardstick, would be an example of *consequence ethics.*

Deontological/teleological. The deontological ethical theory states that the rightness or wrongness of an action is dependent on the action itself and not on the results or consequences it produces. The intuitionist or Existential

Journalist described early would be an example of a person with a deontological orientation; he feel that he has a natural and spontaneous "sense" of what is right and wrong, and this sense or "conscience" will be a reliable guide.

The teleological ethical theory is the same as the consequence theory discussed above. For example. the journalistic *hedonist*, teologically oriented, would say that the rightness or wrongness of a particular journalistic action would depend on the pleasure or displeasure it brings to him. Theoretically, then, if he received pleasure from lying or misrepresenting in a news story, he would have done the right thing. So we see that the bringing of pleasure, for example, either to the person acting or to others, is one aspect of the consequence theory.

Ethical Dialectic: Another Typology

In addition to the several ways of classifying ethical theories mentioned above, another might well be discussed briefly. It is a trinary typology which seemingly has developed by a Hegelian dialectical process through which a kind of compromise (or *synthesis*) has grown out of a clash between two extreme theories (*thesis* and *antithesis*). There is reason to believe that all the many theories and systems of ethics can be accommodated in this concept of the ethical dialectic with its three basic systems. In this typology, the thesis can be called *legalistic* (or code) ethics; the conflicting

extreme or antithesis can be called *antinomian* ethics, and the synthesis or compromise theory may be called *situation* ethics. * Let us look briefly at these three:

Legalistic ethics. This is, of course, an absolute or objective ethical system based largely on tradition, on social agreement or on a firm religious moral code. It is partly-perhaps largely-rational, although many persons insist that any kind of reliance on a rigid code of conduct cannot really be rational. The rationality of legalistic ethics stems from the fact that adherents to this morality have good *reason* to follow it; they have found through the years that there have emerged certain basic, objective, absolute principles of conduct which serve the sociey best and bring the greatest amount of pleasure to the most people. So, although it is traditional ethics–and quite rigid in most respects--the legalistic theory is rational in that it is pragmatic, socially beneficial and personally comforting. It is also, I might add, very much *consequence–oriented.*

When a person breaks the code, goes against the ethical law, he is considered *unethical* in his action by the members of his society; morality, then, is defined by the vast majority of a person's contemporaries. This kind of *consensus ethics*

* These three ethical theories have the best and fullest exposition in Joseph Fletcher, *Situation Ethics: The New Morality* (Philadelphia: The Westminister Press, 1966). As far as we know, however, we are the first to view this trinary classification in the light of Hegelian dialectics.

says that a person is ethical or unethical to the degree that he conforms to, or deviates from, the norms or codes of his society. If, for example, American journalism had *a* Code of Ethics which was adopted by journalists throughout the country, and if a practitioner "broke" a part of the code, his action would (or could) be considered *unethical*, at least in the context of his own "profession." Legalistic or code ethics implies a general agreement (at least in a context) on basic ethical or moral precepts; if this agreement is lacking–as it seems to be in libertarian press systems–then there is little chance of legalistic ethics having any great impact.

So we see that the legalistic ethical system is an absolute one in which wrong is wrong and right is right, and judgements can be passed rather easily on personal conduct. It is basically an absolute system, a rigid system, not permitting for very much permissiveness and rationalizing. It is only natural that a reaction should set in against it; and, as is true with most reactions, the reactionaries (or rebels) quickly equal, or outdistance, the advocates of the old system in their extremism and rigidity. This is what has happened in the case of those who despise code ethics to such a degree that they, in effect, have repudiated all ethics and have rebelled against any kind of standard or law.

Antinomian ethics. These rebels, reacting negatively to the constrictions and absolutes of code ethics, have accepted what has been called antinomian (against-laws) ethics. The antinomians have desired to toss out all basic principles,

precepts, standards, and laws. Whereas the legalists tend toward absolutist or autocratic ethics, the antinomians gravitate toward anarchy or nihilism in ethics.

The antinomian is against standards; he thinks he needs no directions, no rules. He "plays it all by ear," making decisions in the area of morality "as the spirit moves him," intuitively, spontaneously, irrationally. He is, in a sense, the Existentialist * who has lost faith in reason so far as ethical decisions are concerned. He wants no guide other than his senses, his existential intuitions and instincts. In many ways, this person does not really subscribe to an ethical theory, for antinomianism is a kind of *un*-ethics or *non*-ethics which leads to behavior which is quite unpredictable, erratic, and spontaneous. Although the antinomian claims to be real *humanist*, his irrational and sensory inclinations resemble more those of lower animal orders, for instinctivism is hardly compatible with humanism.

The antinomian in journalism will be found most often in the freedom-loving world of the advocacy journalist, in the world of the Existential Journalist who fights against the traditional rigidity of the mainstream Establishment

* Of the many excellent books on Existentialism, two we feel are especially good discussions: William Barrett, *Irrational Man: A Study in Existential Philosophy* (New York: Doubleday & Co., 1958), and F. H. Heinemann, *Existentialism and the Modern Predicament* (New York: Harper Torchbook Paperback, 1958).

media. He makes his ethical decisions as he goes, not even realizing that he is making them–not even really considering them ethical decisions. Rather they are just feelings, instincts, inclinations, intuitions. This ethical (or non–ethical) system might simply be referred to as "whim–ethics."

Situation ethics. Now we come to the "synthesis" theory of ethics, the in–between ethics, the compromise ethics which is generally known as situation ethics. This is the Middle Ground between code and antinomian ethics, although it must be admitted that it is very often confused with the "non–ethics" of antinomianism just discussed. This confusion is unfortunate for situation ethics *rational*, while antinomian ethics is *irrational*. The two have very little in common.

As I have said, however, situation ethics is a synthesis, a compromise between code and antinomian ethics. Therefore, situation ethics does have *something* in common with each of the other two. It resembles antinomian ethics in that it is not tied tightly to absolute principles. It resembles legalistic or code ethics in that it is rational and not intuitive, and it has not entirely forsaken traditional legalistic or absolutist moral principles. In fact, situation ethics begins with traditional, code ethics.

But there the resemblance ends. The situationist is guided generally by the traditional code ethics having universal appeal and relevance; but he is not tied tightly to

any ethical rules. He breaks them when he thinks there is a need to do so. He takes special *situations* or circumstances into consideration; in this sense he is a relativist, but a rational relativist–one who *thinks* before he departs from a basic ethical principle. He is rational because he has a *reason* for departing from an ethical principle.

The journalistic situationist may well be the person who believes it is all right to distort a particular story, or even to lie, if he foresees the harm done to his newspaper or his country to be very great if he "plays it straight" and tells the truth. There are times when it is *right* to play down–or leave out completely–certain stories or pictures; there are other times when it would be *wrong*. But the important thing here is that the journalist *thinks* before taking a certain action; he has a reason for doing what he does. He is not acting on instinct or intuition.

It appears to me that today the majority of American journalists subscribe to the situation ethical position. There are some rigid legalists or code moralists in journalism, to be sure, but they do not seem to exert very much influence. Increasingly one finds the antinomian in the mass media or in journalism schools, scorning rationalism and flaunting his existential instinctivism, but the mass media–rather rigid institutions that they are–have not yet fallen under the spell of these ethical nihilists.

Marshall McLuhan with his "retribalization" (de-civili-

zation?) theory and his psychedelic multi-message appeal to all the senses (the total person) has either been a stimulant to, or result of, the growing influence of the antinomians. What happens in journalism-and in society generally-in the next few years should give us a much clearer insight into which of these three ethical positions will dominate by the end of this century. I believe that it will be the *situation* ethical position, the "synthesis" in the dialectic, but it is presently too early to tell.

Journalistic Ethics: Final Comments

Having presented a number of possible ethical systems or theories in survey fashion, I have not been very specific about journalistic ethics. I have used broad strokes instead of relating these concepts and theories to particular journalistic problems. This has been done purposely, for if I were to begin discussing specific ethical situations related to the mass media, I could well launch into another long discourse.

Rather than going into great detail about journalistic ethics in a specific way, I have tried to present ethical concepts into which any journalist or journalism student can meld his individual problems and questions. Naturally the journalist is interested in such ethical questions as these: Should a newsman honor "off-the-record" statements? Should the names of juvenile offenders be published if it is legal to do so? Should a newsman ever create a "pseudo-event" or pose a pseudo-picture? Should a newsman form

a pre-conceived or idealized story and select material to fit it? What about the ethics of quoting out of context? Is failure to print something you have in hand unethical? What about the ethics of invading privacy in order to get a news story? What about the ethics of a newspaper writing a letter to itself, ostensibly from a reader? And on and on.

There are hundreds of such specific ethical questions which could be dealt with. But it would, in fact, be useless and senseless to try to give ethical answers to such questions. The journalist must, on the basis of the ethical theory to which he subscribes, make these decisions *on his own*, by himself. I would hope that he would make them rationally, but at any rate, they are questions which only the individual journalist can answer–in his own time, in his own way. And it would be presumptuous of me to try to answer such questions.

However, in conclusion and as a kind of bonus for those readers who feel that I should make a judgement, take a position and commit myself to something, I will say that I believe: (a) the only kind of moral judgements that have any lasting validity are *absolute* ethical standards, however much their application is modified in various contexts and in varying circumstances (situation ethics), and (b) no *subjective* theory of ethics, which in reality washes away the whole concept of objective standards, can ever be taken very seriously by rational men. Now, with these two judgements about ethics in general (relate them to journalism as you

will), made with what I believe to be appropriate modesty and ethical insight, I must end my discussion of this extremely complex subject.