

# Morals and the Media



# Morals and the Media

Ethics in Canadian Journalism

SECOND EDITION

NICHOLAS RUSSELL



UBC Press · Vancouver · Toronto

© UBC Press 2006

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, without prior written permission of the publisher, or, in Canada, in the case of photocopying or other reprographic copying, a licence from Access Copyright (Canadian Copyright Licensing Agency), [www.accesscopyright.ca](http://www.accesscopyright.ca).

15 14 13 12 11 10 09 08 07 06 5 4 3 2 1

Printed in Canada on acid-free paper

**Library and Archives Canada Cataloguing in Publication**

Russell, Nicholas

Morals and the media : ethics in Canadian journalism /  
Nicholas Russell. — 2ND ED.

Includes bibliographical references and index.

ISBN 13: 978-7748-1089-0

ISBN 10: 0-7748-1089-0

1. Mass media – Canada – Moral and ethical aspects.
2. Journalistic ethics – Canada. I. Title.

PN4914.E8R87 2005 174'.90711 C2005-904339-3

Canada

UBC Press gratefully acknowledges the financial support for our publishing program of the Government of Canada through the Book Publishing Industry Development Program (BPIDP), and of the Canada Council for the Arts, and the British Columbia Arts Council.

Printed and bound in Canada by Friesens  
Set in Minion and MetaPlus by Artegraphica Design Co. Ltd.  
Copy editor: Judy Phillips

UBC Press  
The University of British Columbia  
2029 West Mall  
Vancouver, BC V6T 1Z2  
604-822-5959 / Fax: 604-822-6083  
[www.ubcpress.ca](http://www.ubcpress.ca)

To Sharon for endless patience.  
To Ian, Sarah, Geoffrey, Heather, and Ethan.  
To Juliet and Ian.  
And to journalists who care.



# Contents

Preface / IX

Acknowledgments / XI

Introduction / XII

## ► Part 1: The Framework

### 1 Values and Evaluation / 3

*What influences newsroom decisions? / the family newspaper / giving audiences what they want / free enterprise vs. journalism / codes of ethics / Kohlberg's moral ladder / Kohlberg's reward and punishment / red light vs. green light ethics / tough calls*

### 2 The Nature of News / 15

*Good vs. bad news / all the news that fits / the personality of papers / credibility: hard won, easily lost / bitch, bitch, bitch: news consumers' prime complaints / accuracy / fairness / loaded language / irony / privacy / sensationalism / arrogance and lack of independence / management interference / tough calls*

### 3 The Role of the Media / 30

*Reporters report? / social responsibility / the media and the status quo / objectivity and truth / is truth accuracy and accuracy truth? / objectivity and balance / objectivity and motivation / objectivity and the five Ws / objectivity vs. detachment and independence / the journalist as advocate / tough calls*

### 4 Freedom of the Press / 45

*The Charter of Rights and Freedoms / freedom brings responsibility / tough calls*

## ► Part 2: The Pressures

### 5 The Media and Money / 51

*Advertisers' clout / advertorial / chequebook journalism / brass cheques / boilerplate / junket journalism / paying for coverage / there's no such thing as a free lunch / tough calls*

### 6 Conflict of Interest / 67

*When is a freelancer free? / private wives, private lives? / public service, private conflict / being seen to be clean / in dispute: the union / using the media for personal gain / tough calls*

### 7 Pack Journalism and Celebrity Journalism / 78

*Pack editing / the journalist as star / tough calls*

### 8 Manipulating the Media / 86

*Overt manipulation: the law as a weapon / the vulnerability of broadcasters / the ubiquitous press release / the media event: making it easy / the news conference / the boys and girls on the bus / scrums: who wins? / budget lock-ups / no time for new news? / sources fight back / covert methods / biting the hand that feeds / tough calls*

**9 Naming Names and Revealing Sources / 100**  
*Covering courts / when courts demand sources / when courts demand notes and tapes / should journalists protect their friends? / tough calls*

**10 To Press or to Suppress? / 110**  
*Going off the record / anonymous sources run riot / breaking the promise / leaving things out / tough calls*

**11 Playing Fast and Loose with the Truth / 122**  
*Hoaxes on the media / hoaxes by the media / first you don't see it, then you do / special techniques / subterfuge: reporter as sleuth / getting it taped / stolen words: innocent accident or capital crime? / after errors: who's sorry now? / tough calls*

► **Part 3: The Pitfalls, Potholes, and Impediments**

**12 Fair Game: The Media and Privacy / 141**  
*Scenes of grief / public people and private lives / are relatives fair game? / are ordinary citizens fair game? / should we never forget? / a dirty job: does somebody have to do it? / covering suicides / tough calls*

**13 Blood and Guts: The Media and Violence / 157**  
*Some cases / the many forms of violence / when words suffice / tough calls*

**14 The Naughty Bits: The Media and Sex / 172**  
*Nudity in the news / people as sex objects / sexist language / erotica in the community / ads that provoke / words alone / reporting vulgarity / tough calls*

**15 Hide the Paper: The Media and Language / 183**  
*Print vs. broadcast / which words offend? / printing the unprintable / taking the name in vain / AIDS: communicating the unmentionable / drawing the line / tough calls*

**16 Different Media: Different Problems / 194**  
*News agencies / print media / ethics on the airwaves / ethics on the Internet / tough calls*

► **Part 4: Renewal**

**17 Righting Writing Wrongs / 213**  
*Ways the public can seek redress / ways the media can reach out / civic journalism / appeals to press councils / appeals to ombudspersons / tough calls*

**18 Codes of Conduct / 233**  
*Codes don't make you good / the role and sources of codes / a code for all / the case against codes / sticks and carrots / what sort of discipline? / who and what should a code cover? / tough calls*

Conclusion / 245

Appendices / 253

Notes / 261

Select Bibliography / 295

Credits / 301

Index / 303

# Preface

How and why do the news media decide to publish what they publish, and are they right? Why do journalists do what they do? Are they ethical? Based on what criteria? Do they reflect communal mores or march to a different drummer? Are ethical decisions spontaneous, casual, uncoordinated, or really not decisions at all, the product of the headlong rush to meet deadlines and to beat competitors? And if the consumers of news don't like what they get, what can they do about it?

These are some of the questions that puzzled me for years, both as a journalist and later as a journalism teacher. And these are some of the questions I explore in this book. I have no intention of dictating behaviour. Instead, I hope to identify how the mores of the media are developed and how they reflect society, and to offer ideas on how journalists can approach ethical decision making.

As US journalism teacher John C. Merrill suggested years ago, journalism ethics are "a swampland of philosophical speculation where eerie mists of judgment hang low over a boggy terrain."<sup>1</sup> Anyone stepping here does so with considerable trepidation, knowing that there is rarely one right answer. What is right will vary from community to community, from newsroom to newsroom, and even from person to person. So, at best, I can only offer ways to arrive at answers.

There are at least three things this book does *not* attempt to do. First, it does not examine the franco-phone media in Canada, partly because the book

already represents a huge undertaking.<sup>2</sup> This is the *first* book on Canadian journalism ethics. In the United States, literally dozens of books have been produced on journalism ethics in the past couple of decades, with the focus becoming narrower and narrower; there is, for instance, a book specifically on photojournalism and ethics.<sup>3</sup> As a Canadian first, it must be an introduction to virtually all aspects of journalism ethics, covering all media and the vast range of ethical dilemmas contemporary journalists face. Other books can narrow the field.

The second thing this book does not do is provide an introduction to the philosophical underpinnings of journalism ethics. The reasons are somewhat similar and have to do with insufficient space and the fact that philosophy is not my field.<sup>4</sup> Moreover, it was not my intention to write a book that would be read only by academics. This book is for students of journalism, working journalists, and news consumers – the mass of readers, watchers, and listeners who are increasingly interested in media. I very much hope that laypeople will read it, and a heavy chapter or two outlining Aristotle's Golden Mean, Judeo-Christian norms, Mill's Principle of Utility, and mixed-rule deontology might deter some. But, above all, philosophy knows few boundaries: there are already several American books outlining the philosophical framework applicable to all Western journalism ethics; these can be read in conjunction with this book.

Third, as a teacher of journalism ethics, I have always felt that I should not impose my own values on students. I preserve that stance here, but inevitably my own values will emerge, so perhaps they should be described from the start. I believe journalists must take responsibility for their actions, that journalists remain citizens with rights and responsibilities, that journalists should be sensitive, caring people, and that they have an implicit contract with their audience to present a reliable, balanced, and constructive picture of the world.<sup>5</sup> Journalists who believe they are merely neutral observers, Teflon-coated tubes carrying the message from source to consumer, will get little nourishment here.

#### MORALS VS. ETHICS

Having described the Canadian perspective of this book, it would be useful to define the other two key elements in the title: media and morals. Oddly enough, some dictionaries don't even contain an entry for the word "morals." In the context of this book, its sense is one of principles: how people (reporters, editors, and, by extension, media) behave, how they conduct themselves, and, particularly, how they distinguish between right and wrong, good and evil. These are not terms everyone will agree on. Even two friends may not agree on what is good and evil – never mind two enemies. What is good and what is bad is not the same for all people, for all times, or for all places.

What about "media?" The dictionary may send you to "medium," the singular, in the sense of a substance through which impressions are conveyed, a means by which something is communicated. This book deals exclusively with news media: radio, television, magazines, the Canadian Press news agency, daily papers, weekly papers, the Internet, and newsletters – the means by which news is communicated. Yet, clearly, the newsletter produced by the local scout troop is very different from the CBC's *Prime Time News*, which in turn is dramatically different from the *Ottawa Sun*, and the differences in their mores are worth exploring.

In this book, the word "ethics" refers to ideas or guidelines that help in resolving moral problems. As one US lawyer defined it, ethics are "where conflicts arise in the practical application of ideological principles to the realities of life."<sup>6</sup>

This book, then, is designed to encourage debate on the issues of media behaviour in Canada, rather than be the last, definitive word on the subject.

#### WHY A NEW EDITION?

So much turmoil has battered Canadian news media in the last few years that a new edition is overdue, and indeed might be expected to be totally different from its predecessor. Ownerships have changed and media have been consolidated, convergence has spread through the industry, online journalism has matured and has spawned web logs, magazines have died and others have replaced them, broadcasting regulations have been modified, and economic pressures on all media have tightened.

And yet, through all this tumult, good journalism has survived – at least in Canada – and ethics have been maintained at the same high level.

But is there any point, or are people turning away from the news?

Lying in the dentist's chair recently, I was being talked at by the hygienist while she worked. She didn't read or watch the news any more, she gaily told me. She'd been advised not to. I grunted disbelief, and she explained that the hygienists' professional organization had held a workshop at which a stress counsellor advised them all to cut down on their news consumption – it was too stressful.

Now, that's pretty scary news. Are counsellors crisscrossing the continent telling their innocent audiences to ignore the work that journalists do? Is this what it's come to? We don't like the message, so turn off the messenger?

Or must journalists mute the bad news, because the audience wants to be entertained? Who are the consumers of news and what do they want?

These are some of the questions the ethical journalist struggles with in the twenty-first century.

# Acknowledgments

Thanks are due to the many Canadian journalists who have let me quote them on journalism ethics: some are named as we go, and others are listed below.

I also offer warm thanks to participants on the Canadian Association of Journalists' listserv, where concerned journalists share daily their ideas on their craft, and forward anecdotes from elsewhere; thanks particularly to Bill Doskoch. And to Dennis Senger who monitors the media world from Whitehorse.

Donald Benham, former journalism teacher at Red River Community College, made several useful suggestions.

Warm thanks are also due to Brian Cantley, editorial director of the Canadian Newspaper Association, for continued help and support. And I thank all Canadian news media for providing me with lots of grist for the mill.

In addition to the many newspapers whose pictures are credited throughout the text, I would like to give a very special thanks to the Canadian Association of Journalists, the Canadian Newspaper Association, the Canadian Broadcasting Corporation, Canadian Press, and the Radio-Television News Directors Association for allowing me to quote freely and extensively from their stylebooks, codes of ethics, and other statements of principles.

# Introduction

Today's Canadians are an enviable mix of people, the result of migration, occupation, immigration, circulation, assimilation, separation, anticipation, deprivation, and profusion. The first peoples had been living for millennia in comparative harmony with the land when boatloads of "new" Canadians arrived to shape the wilderness, the creatures, and the soil to their European lifestyles. And latterly, of course, this mix continues to be augmented by immigrants from all around the globe.

With such a polyglot lot of native and immigrant, rich and poor, pious and profane, it's a miracle that Canadians can tolerate each other at all. Yet there is a surprising homogeneity that gives the citizens common ground, if not total agreement, and sets them significantly apart from their neighbours to the south.

Certainly the universals of food and shelter are of great concern to most Canadians, but their approach to some of the most basic issues is often distinctive: Canadians tend to care more about the right to privacy than about the right to bear arms; more about the protective umbrellas of pensions, insurance, and savings accounts than about flag and country; and more about foreign appetites for our water and our softwood lumber than about weapons of mass destruction. These are, after all, the people who have difficulty in remembering the words to the national anthem. These are also the people who care about hockey, acid rain, and first-growth forests, with much of this information conveyed – on TV

at least – by grave, fatherly anchors rather than the bubbly blondes recommended by some media consultants south of the border.

What else moves Canadians? Abortion, the death penalty, keeping the streets safe, keeping hookers and skinheads out of sight, city taxes, the summer cottage, the *other* official language, single-family homes. If there's a theme here, it may be one of continuity, of security and privacy. Canadians seem to think of themselves as solid and reliable, and they want to be as solid and reliable as they wish, without public scrutiny.

Abroad, Canada is not known for its nationalism, its imperialism, or its interference in other nations' business. (We have little to equate with the CIA's influence in Nicaragua or military intervention in Vietnam or Iraq.) Instead, we are known for peacekeeping. We're still widely seen as a friendly, nonjudgmental Western nation. So, while we probably value the Mounties more highly than the military, we nonetheless send forces, when requested, to Sinai, Bosnia, and Afghanistan – with no hidden agendas.

These values, in large part, have their roots in the Protestant work ethic, though the churchy part has dwindled significantly (with most jurisdictions in the country having no prayers in school and no religion classes). The modern communicator has to beware of references to the twelve Apostles or the four horsemen of the Apocalypse, as they may be greeted with puzzlement.

These generalizations are, of course, just that. Analyzing a national psyche is difficult, and there are all sorts of exceptions. There *are* aggressive Canadians, there *are* pockets of macho white supremacists, there *are* RCMP “dirty tricks,” and doubtless there *are* blonde TV anchors thoroughly conversant with both the Old Testament and the national anthem.

But, in general, Canadians may be more protective of individual privacy than their southern neighbours. And, logically, this may lead to the belief that the individual’s right to a fair trial outweighs the public’s right to know the lurid details of that trial. Similarly, Canadians in general believe that society’s right to be protected from armed thugs is greater than the individual’s right to *be* an armed thug. And perhaps this is mirrored in an antipathy to sensationalism in the news media. The entrepreneurial spirit is accepted (despite some discomfort at the power of Bay Street), but the individual’s right to publish violent comics, hate literature, or pornography is curtailed.

One of our strengths – or our weaknesses – is our innate civility. Canadians are largely polite, friendly, and inoffensive. One reason for this must surely be the country’s extraordinary cultural mix: our pioneer ancestry includes Chinese labourers laying railroad, Ukrainian farmers breaking Prairie sod, English remittance men learning to be cowboys, Scots building remote forts for the Hudson’s Bay Company, and Africans fleeing Southern slavery. Latterly, *their* descendants have been joined in Canada by refugees from wars, persecution, and starvation in Vietnam, Somalia, and dozens of other countries. Today’s Catholic coach may have Muslims on his peewee hockey team. The Muslim professor may have Jewish students. The First Nations police officer may serve beside Muslim, Sikh, and Caucasian colleagues. Canada may not be a melting pot, but it’s certainly a fascinating stew, which must lead to more tolerance, more cultural variety, than any place else on earth.

This in turn leads to diversity within the newsroom culture. Some will argue that this diversity is still not enough – still too few women in media management, for instance. But real efforts are being made and real progress is being recorded; it’s many a day since the nudes disappeared from the darkroom wall. Many

prominent Canadian journalists now visibly represent minorities, often bringing with them the badges of their background. The newsroom itself must be more inclusive, both internally and externally, when its reporters and editors have such varied cultural roots. This should mean an increasing understanding of other cultures and values, but what has also emerged, it seems, is a sense of collegiality: perhaps to our surprise, we find that *under the skin* we share the same journalistic values.

Canada’s dwindling cadre of media owners must also be taken into account. As they become fewer and fewer, owning more and more outlets between them, and as some are stretched so financially tight that they hum in a high wind, so there may well be an increasing urgency to please the largest number of people possible. Bigger ratings mean a better bottom line. But bigger ratings – and circulation – also have a negative component: Don’t rock the boat. Don’t stir up controversy. Don’t alienate customers. Such an atmosphere is not conducive to sustained, visceral investigative journalism. So far, however, there seems to be little evidence that such top-down pressure has constrained Canada’s investigative journalism. Rather, it seems to be limited more by budget cuts, by subtle changes in legal dynamics, and by a worldwide feeling that investigative reporting has just gone out of favour.

So, we have entered the twenty-first century in a mood of niceness. Without belittling advances in human and civil rights, we can say that our willingness to affront – if it was ever great – seems to have dwindled. We have learned from the awful lessons of the past: the racist laws forbidding Chinese and Indian immigration, Jewish quotas, witch hunts for Communists, padlocks on Jehovah’s Witnesses’ Kingdom Halls. Today, we’ll go out of our way to avoid offending any imaginable minority, be it defined by skin colour, religion, skill, wealth, literacy level, or physical or mental limitation. And when everybody can be defined as some sort of minority (retired white males, overweight preschoolers, tweenies, vegans), and there’s a lobby group for every taste (nudists, cat fanciers, gun owners), the writer may find herself treading on eggshells.

It used to be much simpler. There was a time when many rules seemed clear. If you joined the RCMP, you

wore the RCMP hat. If you wanted to marry, you married somebody of the opposite sex. If a woman wanted a baby, she needed a husband. If knives were banned in schools, that ban included ceremonial daggers. If you wanted to hire clean-cut staff, you forbade nose rings. Simple, and simplistic. Since then, Canadians have learned to compromise, and have reduced a lot of barriers. But as one eliminates rules, does one need to find substitutes?

For journalists, the cardinal goal was objectivity – and with objectivity now widely questioned, what’s left? And in some environments, timid media lawyers have suggested that journalists should not even voice their values, as any set of written principles could be used as weapons against them in litigation.

The resulting mood of gentility that has suffused our newsrooms, overlaid with a requirement for popularizing journalism, may have led to a watered-down media. It’s not a bad thing that the arrogance has been knocked out of reporters and editors, at least compared with those of fifty years ago (mostly white males with dubious education who felt constrained to steal pictures of the deceased and refused to run corrections). But has a miasma of blandness drifted through the newsrooms? If so, then the rise of the unruly World Wide Web may be particularly timely. On the web, where everyone who says he’s a writer is a writer, where there are no deadlines and no length restrictions, where, in fact, anarchy largely prevails, the blogger can hold the feet of traditional journalists to the fire, demanding accountability, accuracy, and balance as never before.

It is from this context, then, that we approach some fundamental questions regarding journalism ethics in Canada. With such a cultural mosaic, where do Canadian journalists get their ethical values? What, indeed, is news? And what is the media’s role in the community and in upholding freedom of the press? These issues are the subject of Part 1 of this book.

Enormous pressures, both external and internal, constantly buffet most newsrooms.<sup>1</sup> At one level, they are the butt of constant criticism from a multitude of publics – courts, governments, and lobby groups of every colour. At another level, advertisers (and in some cases advertising managers and even proprietors) demand coverage of their products – or removal of

coverage for negative stories; propagandists and spin doctors demand coverage of their pet projects; and news consumers may demand entertainment rather than prosaic news. Beyond that, everyone is a critic, demanding access to the media and accountability of the media: every misplaced comma and every supposed inaccuracy is remarked. And beyond all this, economic forces, especially in the last decade or more, can create huge angst in the newsroom – budget cutbacks, staff reductions, shrinking newsholes, disappearing competition, demands for convergence. These pressures are discussed in Part 2.

We then look at some of the other complaints the public has regarding media performance. While journalists run a gauntlet of external and internal pressures in their work, tempting them into the paths of unethical behaviour, there are also countless traps waiting along the way. These are not the deliberate pressures of manipulative sources or of greedy individuals, but are the accidents waiting to happen. Some of the worst of these involve invading people’s privacy, and covering the pornographies of news – violence, sex, and vulgar language. And while these can happen to journalists in any newsroom, there are also ethical dilemmas specific to individual media. Part 3 explores all of these, and Part 4 suggests ways the public can influence the media, and ways the media can constructively respond.

Part **1**

# The Framework



# 1 Values and Evaluation

When Moses went up the mountain, he was looking for an unambiguous set of principles, and he was delighted to report on his return that God had obliged with ten, for the practical leadership of his people, for the next few millennia. If, instead, Moses had come down with just four words carved in stone, “Use your own judgment,” the expectant crowd might have been, lo, verily disappointed.

“What d’you mean?” they might have asked him. “What d’you mean, ‘You’ll know good behaviour when you see it’?”

Yet, curiously, it’s true. *Most* people are *mostly* ethical. In the four millennia or so since humankind embraced civilization as we know it, values have been gestated, defined, debated, evolved, and transformed, emerging as different faiths and different cultures.<sup>1</sup> Prophets and philosophers, preachers and teachers, elders and saints have emerged, and have been ignored, persecuted, or revered, with the result that Western people, at least, share many common values, even while shucking off the traditions of the Church.

J. Macquarrie, for instance, suggests that mankind is “coming of age.”<sup>2</sup> “There was a time when the church tried to legislate for most of the situations in which its members might be expected to find themselves,” continues Macquarrie. “In the enormously complex world of today, more and more must be left to conscience and responsible judgment ... It means ... that each one has to become his own moral philosopher.”<sup>3</sup>

This development puts a heavy responsibility on individuals, but society tends to compensate. “Life is too short for innumerable agonizing appraisals undertaken de novo. Rules, customs and habits ... save time and effort by capitalizing on experience,” writes Macquarrie.<sup>4</sup>

Fundamental, for instance, to most societies are the basic moral principles of good and evil, truth-telling, promise-keeping, justice, gratitude, generosity, reparation, self-improvement, and not injuring others.<sup>5</sup>

Incorporated in these is the peculiarly human capacity for self-denial. We can, for instance, will ourselves to tolerate hunger (wait until lunchtime before eating), respect other people’s territory (stay out of their yard), and control sexual urges (hands off the hunk in the elevator). This is not to say that people necessarily behave well, but simply that they – we – have the ability to judge. We are not *amoral*, though we can choose to be *immoral*. We can judge our behaviour. We can judge our own judgment.

For such values to work, they must be mutual: a social contract. At its crudest, we agree, “I won’t try to kill you if you don’t try to kill me.” In most societies – certainly in North America – we have extended this to include, “I won’t steal your ox/Chevy/husband if you won’t steal mine. And I won’t offend your values (e.g., I won’t urinate in a crowded subway) if you won’t offend mine.”

Such rules, customs, and habits don’t by any means cover every situation, especially within specialized

disciplines such as journalism. But many universal norms, such as respect for human dignity, apply to journalism as they do to all of society. Others have special application, such as truth-telling and not injuring others. Such values are thousands of years old – yet practised in modern society and in modern newsrooms.

For such principles to work well, a good deal of freedom is required: freedom to speak out and to keep silent; freedom to respect others and to be respected; freedom to enjoy sex with willing partners or to abstain; freedom to behave in public ways or private ways; freedom to possess material goods, to share them, or to disavow them.

These freedoms imply trust: the belief that the other parties involved will deal as fairly as oneself. Whatever the role of the journalist is, it will not work without the trust of the audience – credibility. A good part of that trust is based on the truthfulness, or perceived truthfulness, of the media in general, of the specific newsroom, and, indeed, of each journalist.

And whatever the consumers of news see as the role of the media, a primary requirement is information on which they can base life decisions. There is an expectation that the media will be honest and fair in providing the truth.

For the journalist, this involves constant decision making: Journalists have to use their judgment continuously. Their working lives are filled with decisions. Their behaviour relentlessly involves decision making – which stories to cover, whom to interview, which questions to ask, what to lead with, whether the story is fair, where a story is placed in the paper, how big to make a headline, what TV footage to use. And those decisions constantly have impact on the lives of others.

Ben Bradlee, former editor of the *Washington Post*, wrote in his autobiography: “Editors choose. That’s what they do for a living. People first, then subjects, then words. And choosing whether to print anything is often the toughest decision of them all.”<sup>6</sup>

When he was a television journalist (later an MP), John Harvard remarked, “Every day, journalists sit in judgment over somebody, from prime ministers to policemen, from handymen to hookers ... Every day, we make moral judgments, from the picky to the profound.”<sup>7</sup> While this may be hyperbolic, it is true that no

journalist can avoid making decisions for long, and many of these decisions are extremely difficult.

How do they decide? What criteria can they use? Are the decisions fickle, based on whims of the moment or the state of the stomach? Are they self-serving, based on greed for rewards, promotions, increased circulation, and better ratings, as news consumers often charge? Or are they carefully thought out, balanced, collegial decisions based on formal, articulated sets of criteria – rules – unanimously accepted and engraved on every newsroom wall?

None of the above, of course. Not every Canadian newsroom has a written code of conduct. Most decisions have to be made hurriedly, newspeople have a wide range of backgrounds and values, and every situation appears to be unique, needing to be weighed on its own merits rather than fitting into a neat pigeonhole. It might be a relief to say, “This case falls under the rules on Invasion of Privacy, and I must therefore handle it in the following way.” But that rarely happens. And, in fact, if journalism were that simple, the job might have considerably less appeal. Yet there are those universal values to fall back on, and journalists quickly learn to be sensitive to the values of the community around them.

“Journalists are part of the societies in which they work,” says Ian Hargreaves in his intelligent book *Journalism: Truth or Dare?* “They acquire, within those societies, a sense of right and wrong; they have, thank goodness, a moral compass learnt outside journalism. It is up to every individual to preserve that compass, to be true to their own and their community’s values.”<sup>8</sup>

#### WHAT INFLUENCES NEWSROOM DECISIONS?

The realities of deadline journalism often weigh on journalistic ethics. Idealists may resent the pressures of the marketplace, but few altruists are prepared to publish newspapers or other media at their own expense – unless they have their own political or religious agendas. Several marketplace pressures influence newsroom decisions:

- *Technical requirements.* The newspaper press often cannot print single pages and readers don’t want blank pages, so the size of the newspaper has to

increase or decrease in increments of four pages, or at least two, at a time.

- *Economic considerations.* Shareholders like dividends, which means making a profit, so however much editors may want to open new bureaus or send correspondents to foreign news spots, the commercial paper must still take in more revenue than it spends.
- *Visual and consumer concerns.* A paper typically needs at least 65 percent advertising to 35 percent news to balance the budget without increasing the purchase price. Yet editors hate having ads on page 1 and on the editorial pages, so some other pages will have to be stuffed with ads to compensate.

At the same time, the supply of news is fickle and unpredictable. It may be affected by one or more of the following:

- Is it a slow news day, as often occurs in February and July, providing little news to fill the paper?
- Is the travel editor desperate for copy because there's a glut of travel advertisements early in the New Year?
- Does the food editor need more copy because the food stores demand a special section on Thursday to catch the weekend shoppers?

### THE FAMILY NEWSPAPER

Defining as abstract a phrase as "family newspaper" is difficult, but perhaps it can best be achieved by looking at some of the components. The family newspaper is seen as including ingredients of interest to all members of the family. (Newspaper managers are desperately trying to attract young readers as audience demographics show the average age of readers is getting older and older.) So, if it must appeal to both the grandparents and the teenagers, it must not offend either the grandparents or the teenagers. This means that newspaper language must be acceptable, and the words and pictures should avoid sexism and violence.<sup>9</sup> The newspaper obeys the house rules, and so does not discuss subjects that cannot normally be discussed at the dinner table in front of the children. But even that's not as easy as it sounds, when columnists have freedom of expression, and reporters quote vulgar politicians, and war coverage requires bloody pictures.

## The Woman's Star

### Queen Mary Is Capable Housekeeper At Palace Delighting In Dusting

Her Majesty Has Proved Literally That "The Colonel's Lady and Judy O'Grady" Have Much in Common—Sandringham Attache Says the Royal Matron is Never Idle

LONDON, Feb. 4.—Queen Mary has proved literally that "the Colonel's lady and Judy O'Grady" have much in common when it comes to managing a household.

For a time while King George was spending his shooting holiday in Scotland the Queen was busy at Sandringham House with a housemaid's duster getting it ready for his return.

#### WORKS EACH DAY

#### DUSTING ORNAMENTS

"She cannot stand idly by while things work," Sandringham attache confided. "Each day she is at work, duster in hand, dealing with the pictures and other ornaments as they are taken from the walls."

Queen Alexandra would allow nothing to be changed at Sandringham during her lifetime, as she wished the house to remain just as it was when King Edward made it over for her in 1862, a year before his marriage.

#### Citizens Laud

#### True Devotion

#### Of Leader's Wife.

Canadian Press

### Weddings

#### FRASER-McLENNAN

Miss Beth Dawson McLennan, third daughter of Mr. and Mrs. R. P. McLennan, and Mr. George Wallace Bruce Fraser, son of the late James Frederick Fraser and Mrs. Fraser, formerly of Ottawa, were the principals in a pretty wedding Thursday evening at the home of the bride's parents, Rev. Gordon Dickie officiating. For the occasion the rooms were decorated with ferns, palms and yellow chrysanthemums, while smilax, calla lilies and blush pink carnations formed a background for the ceremony.

Ivory charmeuse, finished with seed pearls and rhinestones, formed the gown of the bride, who also wore a wedding veil trimmed with seed pearls and caught with a coronet of orange blossoms and cer-

News values have changed radically since the *Vancouver Star* (now defunct) wrote sycophantically about the Queen Mother in 1927.

If this begins to sound numbingly dull, it should be noted that this is far from the whole story. The nature of what is acceptable varies with time and geography, and with the medium. Styles change over the years. Abortion can now be discussed where it used to be anathema; the transmission of HIV can be described where it would have been impossible twenty years ago; incest can now be reported where it used to be taboo. Similarly, it is clear that what is acceptable in a metro Toronto daily is not necessarily acceptable in the *Times* of Tillsonburg, Ontario, or in a small Hutterite community.

The nature of the medium itself will also provide a variable. A broadcast obscenity is quickly gone, and offending images or language may soon be forgotten, whereas print has a permanence that means editors must take greater care, especially with weeklies, which often sit on the coffee table for seven days. Even within a particular medium, differences are evident. Late-night audiences are presumed to have tougher skins than supper-hour audiences, and a CBC FM program such as *Ideas* can use language that would cause howls of protest on prime-time TV (see Chapter 15, “Hide the Paper: The Media and Language”).

Although there are similarities between many newspapers, there are also dramatic differences. And though issues of ethics have not been addressed head-on as yet, clearly some of the questions suggested above are of an ethical bent. The very act of defining the nature of a paper, and therefore the type of journalism, involves in part an ethical decision. Proprietors, seeing a market niche for their product, decide to aim for that demographic group with specific design and content concepts. They are therefore endeavouring to give those readers what they want.

### GIVING AUDIENCES WHAT THEY WANT

The editor who decides to give readers what they ought to have is going to produce a very different paper from the editor who chooses to give readers what they really want. Sheer economics ensure that few in the daily newspaper industry are rash enough to do the former. (Obviously, the editor of, say, the Jehovah’s Witnesses’ magazine *Watchtower* can ignore economics: motive is not to entertain or inform, but to preach.) But it is interesting to compare our attitudes to upmarket and

down-market papers – for example, the *Globe and Mail* and the *Toronto Sun*. Is one more ethical, less opportunistic, than the other? Editors of down-market tabloids clearly believe they must serve the interests of their audience. (Awful evidence of this is seen in the pornographic British daily *The Sport*.) The editor of another London tabloid succinctly sums up his audience: “The basic interests of the human race are not in music, politics and philosophy, but in things like food and football, money and sex, and crime – especially crime.”<sup>10</sup> Yet are not both the *Globe and Mail* and the *Toronto Sun* serving a specific audience? Why should one paper be respected for being greyer and more intellectual, while the other is faulted for pandering to baser instincts, when both do well in their markets?

It is a natural instinct for people to want to be entertained, even if that is not necessarily what they ought to have. “Ought” implies a degree of resistance: taking our foul-tasting medicine unwillingly, even though we know it is good for us.

In a media context, people *ought* to have a broad base of information for making their own judgments, judgments on how to vote, what to eat, who needs foreign aid. (This is quite different from being told what to think.)

Some of this information we may resist, such as images of a famine in Africa – information that makes demands on readers, but nevertheless information we ought to have. Such material helps the audience make decisions about whether to give money to Oxfam or even whether to buy a bigger car.

The line between news-we-ought-to-have and news-we-want is thin. Audiences may not recognize the relevance to themselves of a story about war in the Middle East – until prices go up at the local gas pump. Such connections can often be found, so that many stories that might be described as ought-to stories are in fact need-to stories. The leakage of PCBs from a truck on a remote stretch of the Trans-Canada Highway may have far-reaching ramifications in terms of changes in regulations on transportation of dangerous materials, clean-up costs, and costs of equipment needed to replace transformers using PCBs. Similarly, an outbreak of AIDS thousands of miles away can have long-term local effects.

Many such stories can be said to help consumers face a complex world. As the Saskatoon *StarPhoenix* put it in a 1990 promotion campaign, this is “News You Can Use.”

It is often important to have such information in order to know how to act and how to react, to be informed before the disaster happens. The farmer who wakes up one morning to find the bailiffs at his door to evict him may be better able to cope with the disaster, or even prevent it, if he knows, before he buys a new combine, about the fixing of grain prices in Europe.

In addition to information on such things as politics and self-protection, newspapers are increasingly leaning towards information that helps the reader live a fuller, happier, richer life. This may come in the form of information about a breakthrough in arthritis research, or an ad about birth control, or a teen column on getting rid of zits: it’s all useful information. The issue, for the news media, is how much of this to provide in a limited newshole (the space that the newsroom is responsible for, as opposed to advertising).

These are clearly not occasional decisions but decisions that are being made every moment in every newsroom across the country. And many editors will agree that their decisions are not based on any book of rules but on instinct, on a sense of what the audience wants and needs and can tolerate.

### FREE ENTERPRISE VS. JOURNALISM

A dilemma is posed by the nature of the paymaster. Gathering and distributing news is an expensive proposition. (Advertising contributes 80 percent of the cost of producing a typical Canadian daily, so if a reader of the Toronto *Globe and Mail* were to pay the entire cost, instead of paying 50¢ she would pay \$2.50 per copy.)<sup>11</sup> So most media have evolved with audiences paying only part of the cost, the rest being raised through advertising. Backers are usually needed to provide capital to build the radio station or buy the printing press, and these shareholders generally expect a return on their investment. Thus, the individual journalist may be motivated by the most admirable personal principles, while working for a vast, multinational corporation driven by profit.

These are not ideal bed partners. Are media owners the greedy profiteers they are sometimes made out to

be? Like any cluster of people, some may be, while others are more benevolent and a few positively altruistic. History indicates that the Southam newspaper chain was largely run by benevolent, hands-off proprietors, but perhaps their offhand attitude to the bottom-line made them vulnerable to their eventual takeover by Conrad Black. Mr. Black, on the other hand, was proud to be a capitalist, and his company did not hesitate to close down unprofitable newspapers even if it meant grief for some employees, not to mention readers, and to sell them to the Asper family when expedient.<sup>12</sup>

Unquestionably, some proprietors do interfere with their newsrooms. Mr. Black made no bones about it: “Media proprietors should have opinions,” he told the *Wall Street Journal* in 2002. “And,” he added cogently, “they have a perfect right to engage editors and contributors whom they believe will substantially agree with them, provided they maintain the balance between reporting and comment and allow reasonable access for differing opinions.”<sup>13</sup> Similarly, the Aspers have defended their right to influence the editorial policies of the CanWest newspapers they own: “The current policy of CanWest is that on matters of significant national and international importance, the Publisher and proprietors will set the policy, and editorial direction of the newspaper.”<sup>14</sup> While Izzy Asper was long known as an active Liberal supporter, the intervention in CanWest editorials, particularly on Middle Eastern issues, came as a horrid surprise to readers – and journalists – who were used to arm’s-length publishers. In turn, the Aspers seem to have been taken by surprise by the furious response of Canadian readers to their plan to distribute national editorials to major chain dailies.

But such intervention is nothing new: not only were early publishers highly political, but some also imposed personal vendettas on their newspapers. The New Brunswicker Max Aitken (Lord Beaverbrook), for instance, was said to have given his editors a blacklist of names not to be mentioned, and is quoted as saying he ran the *Daily Express* “purely for the purpose of making propaganda.”<sup>15</sup>

Paul Rutherford, in *The Making of the Canadian Media*, maintains that the media have been treated as “ordinary commercial property” for at least a century,<sup>16</sup> but that Canadian managements have largely been benign: “The masters of press, radio and television do

constitute a media elite. They are not a conspiracy against the public good, however. Indeed, their reign has contributed to a marked improvement in the performance of the media ... Bigness and growth were necessary to survive.”<sup>17</sup> This, however, was written before the Aspers gathered control of the majority of Canadian daily newspapers and before Rutherford could gauge the Aspers’ role.

A century ago, newspapers were typically tied to a political party, making no pretence of fairness or objectivity. Since then, the only change has been that there are fewer newspapers to choose from.<sup>18</sup> The basic role of news media in the twentieth century didn’t really alter. Rutherford’s description of Canada’s papers in the 1930s is probably still appropriate: “The newspaper industry was a business like any other, wherein reigned the twin gods of Profit and Stability.”<sup>19</sup>

Readers, too, have a form of investment in the media, both in trust and in time. If their relationship with the TV station, newspaper, or radio newsroom is to work, they must be able to trust it, to know that if there is an advertisement for a special on turkeys at the grocery store, they can expect to find the cheap turkeys if they go to the store. To know, too, that having absorbed the news about all electoral candidates, they can vote intelligently. Thus, they know it is worth investing considerable time to read their daily paper – according to Canadian statistics, an astonishing average of forty-six minutes a day.<sup>20</sup>

Many news consumers feel that this investment gives them some sort of proprietary rights. (When the St. Catharines, Ontario, *Standard* ran a promotion campaign with the slogan “It’s Your Paper,” customers phoning with complaints frequently justified them with “It’s my paper.”)

Consumers naturally choose the station or the paper that best suits their tastes, in terms of when it is available, the style of the product, and the cost. Vancouver viewers may choose to watch BCTV supper-hour news because the time of the show suits them, they prefer the format, or they like the anchorperson. As such, they like it the way it is. Readers of the Owen Sound *Sun-Times* do not want it suddenly to resemble the Winnipeg *Sun*. And they expect the crossword and the sports section to be in the same place each day. (So it must have been

traumatic for regular readers of the Vancouver *Province* twenty years ago to have a large, sober business paper one day and a brassy tabloid with the same name on the top the next.)

Pleasing the audience is important to the media because they must occasionally pay a dividend to their shareholders. But this raises a crucial ethical issue. Just how far should they go to please the viewers and listeners? Issues of prurience, violence, and vulgarity will be discussed later, but in broad terms, media managers have to decide whether anything goes, or whether there are limits. Is “publish and be damned” an acceptable ethos? Are the “tits-and-bums” papers of Fleet Street any less ethical than the grey ladies of Front Street or Wall Street?

Limits are, of course, imposed by law, and to a certain extent these nibble away at press freedom each year. (Police demands for documents and sources are increasing in Canada, the United States, and Britain.) But toughening of the law is often a result of media excesses, provoking legislative revenge. For instance, calls for tougher privacy laws usually follow some new outrage by the paparazzi.

Journalists do not often publicly admit this connection, but it was clearly stated by David Montgomery, editor of the British daily *Today*, explaining why there are so many libel suits. “We got above ourselves, took too many risks, and practised sloppy procedures,” he told a conference of the British bar. “And we did it in the face of increasing public disquiet about our antics. In short, we asked for it.” Montgomery described readers’ response as “a huge revenge for our misdemeanours.”<sup>21</sup> He is, of course, speaking for the desperately competitive British tabloids, but it is at least occasionally true of the Canadian tabloids.

However, the laws relating to journalism need neither threaten journalists nor allow them to feel free from making moral judgments. It’s true that few laws affecting media are there to protect the media: most are there to protect Joe Lunchbucket from the journalists; but they are there only to protect Joe from the excesses of the worst reporters. The truly responsible journalist will rarely feel constrained by laws of libel or privacy, for instance, because his own value system brings him up short before the law takes hold.

As for the law freeing journalists from making ethical judgments, Stephen Klaidman and Tom Beauchamp summarize the relationship well in their book *The Virtuous Journalist*: “Legal protections that permit irresponsible journalism do not imply that journalists have no moral responsibility. Quite the reverse is true: freedom from legal constraints is a special privilege that demands increased awareness of moral obligation.”<sup>22</sup>

The press can, for instance, get away with a great deal within the law in terms of impugning people’s characters, invading their privacy, using vulgar words, and printing suggestive pictures. This is not to say that it is good or desirable, but society does permit it. The “SUNshine Girl” on page 3 of the *Toronto Sun* was for years living proof of the press’s freedom (though some European tabloids, such as the London *Sun*, reveal much more; see Chapter 14, “The Naughty Bits: The Media and Sex”). But the fact she has gradually shrunk, and been augmented by a “SUNshine Boy,” demonstrates how public opinion can impact management decisions.

But how far should they go in catering to the tastes of the audience? Pornography laws in Canada permit considerable latitude. Magazines such as *Penthouse* and *Hustler* are routinely admitted into the country without demur. If they are permitted, why shouldn’t every newspaper publish the same lurid, erotic, and sexist pap?

Obviously, there is a vast chasm between *Penthouse* and the *Globe and Mail*. A number of distinguishing features are relevant, the most important being the nature of a typical daily – the family newspaper. Every major town across the country has its own daily, from the Alberni Valley *Times* to the Corner Brook *Star*. Half of every day’s issues are picked up on the newsstand, but half are subscribed to, a familiar face, delivered each day, with predictable quality.<sup>23</sup> The papers appeal equally to the male and female adults in the household (with desperate efforts by publishers to attract younger readers as well). And despite proprietors’ gloom, the papers are mostly prosperous. As late as 1990, Peter Desbarats noted that “most daily newspapers continued to be highly profitable.”<sup>24</sup> Statistics Canada, releasing new data in 2003, noted that despite diminution of circulation and ad revenue and rising newsprint costs, “the

operating profit margin for the industry decreased from 14.8 percent in 2000 to 11.5 percent in 2001.”<sup>25</sup> Nevertheless, millions of Canadians would have given their eye-teeth (or at least their mutual funds) for profits like that.

Deciding where such lines are drawn is a perpetual preoccupation for journalists. But newsrooms don’t change their spots overnight: If a reporter joins the Halifax *Daily News* or CBC in Charlottetown, she will quickly get a sense of the ethical environment. She will absorb this from conversations with supervisors and colleagues, from consumers calling to complain, from sources on the beat, from her apartment manager, her fitness instructor, and her dentist. They all have opinions and they will hasten to share them. Indeed, just as Canadians in general may be more sensitized to issues of civil liberties and human rights, so reporters are probably encouraged to be more sensitive to news consumers than at any time in the past. The old motto of “Publish and be damned” has been replaced by “We hate to Lose Readers/Listeners!”

Most newsrooms also use the Canadian Press *Stylebook* as the newsroom bible on style, and this includes some useful advice on ethics. And a few thoughtful newsrooms have their own manuals of ethical behaviour.

### CODES OF ETHICS

While some veteran editors will say ethical decisions are all a matter of instinct, a few newsrooms have developed their own formalized guidelines, customized for their community (these will be explored in Chapter 18, “Codes of Conduct”). But even that editorial instinct is probably not as capricious as it may seem, based on experience and newsroom lore. Editors teach neophytes newsroom values mostly by example and through oral advice in the office or over a latte.<sup>26</sup>

One set of ethical principles that is almost universal in Canadian newsrooms is found in the Canadian Press *Stylebook*. At first glance it appears to have only a few paragraphs on the subject (“Ethical Behaviour”), but in effect it has much else, with sections titled Impartiality, Handling Quotations, Vulgarity, Sensitivity, Sexism, Unnamed Sources, Taste, and Sensitive Court Cases. Although it is primarily written for the staff of the Canadian Press news agency, the book is in virtually

every newsroom in the country – indeed, in most journalists’ desk drawers and on most journalism schools’ reading lists – and editors generally encourage staff to “follow CP style.” This means the book has astonishing reach. Because of that wide audience, the book is necessarily generalized, but it does lay down a basic ethical agenda: (1) that ethics are important to journalists, and (2) that ethical behaviour is key to journalistic credibility. These two principles suffuse the book.

It is, of course, true that codes don’t solve ethical problems or make journalists ethical. Years ago, when I polled Canadian editors to find out who had codes (and it was precious few!), some made the point that a book of rules was no panacea. Steve Hume, then editor of the *Edmonton Journal*, wrote that codes tended to be restrictive: “A written code of ethics would have done nothing to prevent the Janet Cooke fiasco at the *Washington Post*,” he said, referring to the disastrous incident of a young reporter making up a story about a child drug addict. Another editor – Sean Finlay of the *Evening Telegram* in St. John’s, Newfoundland – suggested another reason journalists don’t need written codes: they’re just ordinary citizens. As they have no special rights, therefore they need no special code of behaviour.<sup>27</sup>

But while some people may feel that codes can actually hinder, or serve to set journalists apart, the absence of any guidelines (beyond what is written on the heart) doesn’t help the young cub reporter suddenly faced with a dilemma in the field: Should she read the letter left on the desk, or agree to show her complex story to the source? Is there a newsroom mentor she can consult?

Even if every editor and reporter in the country had a set of written principles taped to her terminal, these would not apply to every single situation, and they would not always provide answers. Sometimes it’s difficult to see the wood for the trees: here’s the dilemma, but what are the principles at risk, and which of these conflicting rules apply?

At that moment, before the old shibboleths are invoked (“Freedom of the press!,” “Yellow journalism!,” “Censorship!,” “Both sides of the story,” “Publish and be damned!”), it may help participants if they ask themselves some questions.

The following is inspired by the traditional journalistic Five Ws. (The Five Ws and H of who, what, when,

where, why, and how are frequently suggested as the basic questions a reporter must start with when following a typical story.)<sup>28</sup>

### The Five Ws and H of Ethics

- *Who* gains or loses by this story? *Who* cares? *Who* gets needlessly hurt? *Who* is ultimately responsible?
- *What* principles collide? *What* does it do for our/my credibility? (Will the audience think less of this newsroom for running these details? Can I look myself in the mirror tomorrow?) *What* has been newsroom practice in the past? *What* are the alternatives?
- *When* should we publish this? (Is there a genuine rush to publish this story now, or are we giving only one side in order to beat the competition?)
- *Where* should this story be published? (The *Christian Science Monitor*, *Calgary Sun*, *National Enquirer*?) And *where* within the news package? (Top story on the supper-hour news? Hidden among the classified ads on page 99?)
- *Why* withhold or run this? (To be first? To inform? To titillate? To have something to enter in the National Newspaper Awards?) *Why* is this source doing this? (Why does he want to buy me lunch?)
- *How* was this material gathered? (By fair questions to an informed source, from a properly identified reporter? Was it undercover?) *How* might the process affect the story? *How* was it corroborated for fairness and accuracy? *How* would the decision alter if the situation was reversed and I was on the receiving end?

These questions do not resolve the debates or make the answers obvious. (And, of course, the Five Ws are merely a mnemonic device. In reality, this represents about seventeen questions.) But they do begin to pinpoint the real issues and get away from emotional responses and loaded language. They help focus debates otherwise brought to a halt by such emotive phrases as “The public’s need to know,” or such grandiose abstractions as “We’re in the reporting business, not the secrets business.”

Here are a few true scenarios where these Five Ws may help focus the debate:

- Sony is celebrating the sale of its millionth Walkman, and journalists are promised a free Walkman if they attend the news conference.
- A young woman is raped in a village vicarage. Should she be identified? Should the church or the village be identified?
- A reporter finds an advance copy of a provincial budget in a print shop's garbage.
- A cabinet minister is suspected of interfering with the justice system. A bright young reporter says he has the goods on him, with the documents "right here" on microfiche.

It bears repeating that these Five Ws do not resolve any ethical dilemmas. They may simply help focus attention on the real issues rather than on abstractions.

### KOHLBERG'S MORAL LADDER

How do people make value judgments, especially when those values are simply "written in our hearts," as some editors told me?

As suggested earlier, a multitude of values are at work in the Canadian mosaic, from a multiplicity of cultures. Dominant, however, is the Judeo-Christian ethos, brought to this country by a mix of settlers over the last three hundred years, and passed on by priests, teachers, parents, and even laws, to subsequent generations.

Such a setting dovetails with the theories of a professor at Harvard's Center for Moral Development, Lawrence Kohlberg.<sup>29</sup> Kohlberg examines the values people acquire from birth onwards and concludes that North Americans in general demonstrate a range of decision-making strategies, starting from the crudest survival instincts and perhaps ultimately rising to the level of an "ideal" person.

Such a vertical ladder of moral reasoning is easily accepted, for instance, by active Christians, who see themselves caught in a tug-of-war between hedonistic egotism and heavenly selflessness. But it is not necessary to share this philosophy to see the value of analyzing decisions through the Kohlberg filter.

Put very simply, Kohlberg sees Western society as rising through three general moral stages: pre-conventional or prerational morality (childlike), conventional

morality, and postconventional morality. Each of these is subdivided:

#### Preconventional Morality

*Stage 1: Fear of punishment.* Authority defines wrongness, which is not debatable. Wrongdoing is always punished.

*Stage 2: Hope for reward.* While recognizing other views, this stage is primarily motivated by satisfying self. Important to keep promises so others will keep theirs.

#### Conventional Morality

*Stage 3: Peer or community approval.* Recognition of need to cooperate. Concern with maintaining trust and social approval. Do unto others, etc. Justice is flexible.

*Stage 4: Law obedience.* The good of the majority is paramount. Rules are pervasive (societal, religious, internal). Respect for law is essential.

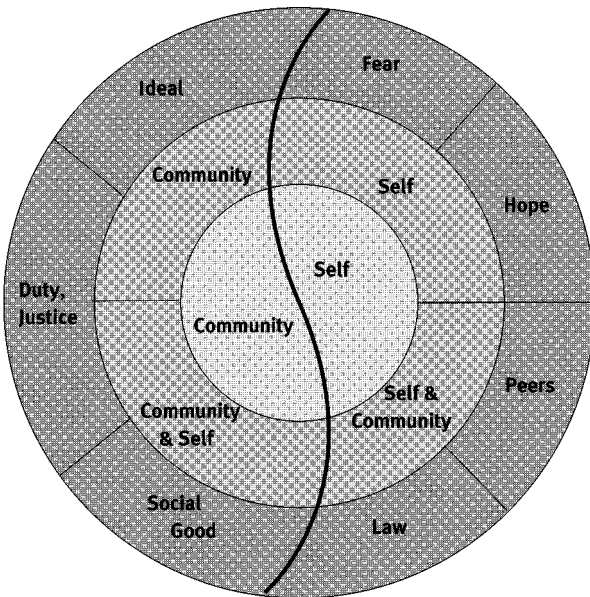
#### Postconventional Morality

*Stage 5: Social good.* Some rights are inviolable. Social welfare is vital. All deserve respect and dignity. Punishment is less important.

*Stage 6: Universal principles.* All are free, equal, and autonomous. Justice, dignity, and benevolence are important. Each must maximize quality of life and liberty for all. The disadvantaged deserve special care. No punishment or rewards.

Kohlberg believes people should stretch themselves, striving always for a better (i.e., higher) level of decision making. However, perhaps for the average journalist it is enough to use Kohlberg's Stages of Moral Reasoning as a means of analyzing decision making. Jew, agnostic, and Muslim alike can use Kohlberg to look at an ethical dilemma, determine what form of evaluation is at play, and therefore better judge that judgment.

The Kohlberg ladder is based on the assumption that it is better to be concerned with society than with oneself, and this is probably acceptable in principle to most Canadian journalists. Many reporters, editors, and news directors may not aspire to be a Kohlberg "ideal person" but may well agree that they are in the



The relationship between a journalist and his audience can mature. To minimize pejorative judgments, Kohlberg's ladder can be reconfigured as a wheel or a clock dial.

news business not (just) for their own pleasure but to inform people, to help people live better, richer, more effective lives. The writer may get fulfilment from a page 1 byline or from seeing herself on the nightly news, but there is also something *useful* going on, a process of informing, while building a personal reputation for veracity and good writing.

It may now be helpful to redraw the Kohlberg ladder as a circle. With this schema, we abandon the numbers in order to minimize the judgmental nature of the debate: It's clearly dangerous for newsroom colleagues to say, "Well, she's only operating at Level 3, but obviously I'm a 5."

At the core is Self versus Community, perhaps comparable to strong/weak, active/passive dichotomies of Chinese philosophy. The second circle depicts the overlapping nature of value judgments as one becomes more altruistic and less egocentric. And the outer ring further subdivides these into the overlapping motivations that Kohlberg offers.

In a journalistic context, Fear here represents fear of punishment from employer (for missing a deadline, being scooped, and so on), offset by the Hope for reward (a bonus, better ratings, promotion to a copy-desk job, a prize in the annual Radio-Television News Directors Association competition). Peer approval is important in terms of the newsroom or the press gallery and, to a dwindling extent, the media clubs. Few people are immune to "Nice story, Chuck!" bellowed across the newsroom by the city editor, or the raised eyebrow of the old-timer in the bar: "You didn't really believe what that guy told you, did you?"

The Law plays far from a static role on this list. Canadian law is formalized and largely clear and well known, in the specific sense of the statutes of Canada and its provinces. But there are also newsroom policy manuals, codes, and intermittent memos. And even the statutes are treated differently by some than by others. Fearless Freda may say, "Never mind what our lawyer says, let's go with it. The public needs to know," where Timid Terry says, "We can't do that. We might get sued." Is the law sometimes an ass? Is it the responsibility of the media to test the law, to stretch the law, or simply to obey?

"The law says we mustn't identify minors who are victims of a crime, therefore we mustn't name this teacher/child molester, even after he has committed suicide." Right or wrong?

It is with that "greater good," of course, that we begin to move increasingly into the realm of Kohlberg's Social Good, deciding issues based on what's best for the greatest number (a risky game). Only now does the issue become *effect*: what effect will the story have on individuals, or the audience, beyond the newsroom?

Finally, there comes the Justice/Duty stage. The journalist concerned with justice or duty has no concern for himself but is driven by abstract goals such as dignity and integrity. At this level, the journalist may on occasion find it is necessary, for the greater good, to break the law.<sup>30</sup> (A classic example of this might be pioneer publisher Joseph Howe, who decided to publish in the *Nova Scotian* in 1835 a letter that was clearly libellous by contemporary standards, in order to clean up a decadent and evil government.)<sup>31</sup> The newsperson may also occasionally feel driven to put his or her job on the

line, willing to quit rather than behave in an unethical manner.

At this level, the journalist weighs different ethical principles against each other, consulting colleagues and superiors and acting only after carefully considering the consequences of her actions.<sup>32</sup>

Kohlberg's Steps were not designed with journalism in mind, but they may be a useful catalyst in debates on newsroom ethics. The reporter/editor/news director who spends a few minutes examining a dilemma from a Kohlbergian perspective may well find angles to the issue that he or she had not expected, and may draw conclusions quite opposite to first impressions.

It might be instructive, here, to try applying the Five Ws and Kohlberg's ladder to an imaginary scenario in which a newspaper photographer encounters a serious traffic accident as she rushes back to the office, on deadline, from the premier's resignation news conference.<sup>33</sup>

*Who:* The accident victim may benefit from the photographer's intervention, or may suffer if she does not stop to help. But perhaps the photographer will miss her deadline, and so the public will be denied pictures from the news conference. Is it either-or? Is one more important than the other? *Who* decides? The photographer needs to talk to her supervisor immediately, informing her and consulting her, rather than keeping people waiting and ignorant.

*What:* The photographer's credibility in the community may suffer if she fails to help the victim. If the hurt driver dies, will the photographer be to blame? *What* other alternatives are there? In most cases, the photographer may be able to serve the victim better by calling for professional help (ambulance, police) than by doing anything beyond offering comfort. *What* principles are at stake? Helping people in distress is a basic value that some citizens would say was the *only* value to be taken into account here. Others might argue that the journalist's role is to hold up a mirror to society, to be the arm's-length, objective observer rather than a participant.

*When:* Is a press conference picture really that urgent? If the local TV station runs coverage tonight, does that mean the paper must have pictures too? (Of course, if the two media are owned by the same company, the public can benefit from sharing.)

*Where:* Not really applicable here.

*Why and How:* Why drive on by? Perhaps the photographer is using the excuse of the deadline to avoid getting involved in the accident. *Why* help the victim? Because media people are citizens too. Journalistic detachment does not extend to ignoring suffering that the newsperson can help alleviate. And the reversibility rule suggests that if we were trapped in a car wreck, we would like to think somebody would stop to help us.

### KOHLBERG'S REWARD AND PUNISHMENT

Clearly the photographer risks getting in trouble if she fails to deliver the picture on time. It is likely that space is being held for the picture, and editors will be less than pleased if she fails to deliver, since they may have to tear apart a page to accommodate different material. This may take precious minutes, conceivably resulting in hundreds of dollars in overtime for press-workers, drivers, and carriers. On that basis, this is scarcely a decision the photographer should take alone. She must get on the cellphone to the news desk and ask for fast guidance.

### Peers

Even the most cynical newsperson would probably acknowledge that stopping to help the injured is acceptable. (Though she may tell the old story of the reporter at a fire who got so engrossed that he told his editors he couldn't file a story "until we've put out the fire.") There's little doubt the community would expect the photographer to drop her camera and start aiding the victim, so why should the editor's values be different?

### Social Good

The welfare of the victim overwhelms the need of the community to see the premier's picture (yet again).

The result of this analysis is scarcely surprising. The photographer should (1) phone for emergency help, (2) phone the news desk to advise what's happening, (3) help the victim, and (4) rush the picture to the office as soon as possible. This analysis reinforces instincts and demonstrates which values are at work. Weighing these issues, we can conclude that the photographer should be able to help the victim while not jeopardizing her job, although risking some considerable criticism from the news desk.

However, it must be added that few ethical judgments need to be made in quite such haste. Under such circumstances, nobody is going to stop to measure the situation by the Five Ws or by Kohlberg's ladder but likely will react as feeling human beings. And every situation is different. If the photographer was rushing back to the *Victoria Times Colonist* with pictures of the destruction caused by a major earthquake in downtown Victoria, she might be justified in telephoning for help but not stopping at the scene of the car accident.

### RED LIGHT VS. GREEN LIGHT ETHICS

Ethics is not solely about crime and punishment – about *not* doing things. Journalistic ethics can involve taking the initiative and actively doing “good” journalism, rather than simply reacting to situations. Too often, the journalist worries about writing a certain story or interviewing a particular source, rather than actively seeking the best way of handling the story.

This approach, though blindingly obvious in retrospect, was only articulated quite recently, apparently first suggested by Roy Peter Clark of the Poynter Institute for Media Studies in St. Petersburg, Florida.<sup>34</sup> He suggested that too much thinking about ethical issues has concentrated on what we may *not* do, whereas proactive ethics suggests things that we *should* do. Clark urged journalists to “think positive,” using their positive freedom for positive ethical decisions. This has been picked up and expanded by other journalism scholars, notably Jay Black and Ralph Barney in their essay on how ethics have changed in the years since the *Washington Post*'s Pulitzer Prize debacle.<sup>35</sup>

Clark depicts green light ethics as focusing on news staff as teams (rather than individuals), driven by a sense of democratic duty, compassion, openness, mission, courage, ingenuity, and craftsmanship. He cites dozens of cases of admirable American journalism and suggests that the best journalism is driven by the motives he lists. Admirable journalism, he implies, is not advocacy journalism (in the sense of promoting causes) but journalism that contributes to the community, even at its own expense – and even if it means occasionally lying or aggravating a press council. He writes: “Green Light Ethics is, admittedly, a rhetorical device, a way of

understanding ethics that empowers journalists rather than cripples them ... The Green Light shines from the very core of journalism. It is the reason why the best journalists get into the business in the first place. It is the beacon for those who want to report good stories, to reform democratic institutions, and to improve people's lives. Too many red lights turn journalists into cowards. The Green Light will make them brave.”<sup>36</sup>

The journalist who thinks from a “red light” perspective may tend to believe that all that is required of him is to do his job without causing unjustified harm. But in reality, such a minimalist approach is highly egotistical, giving little consideration to the consequences of his work, let alone focusing on the greatest good.

But whether the light is red or green, journalists need to agree on some fundamental issues, such as the role of the media in society, and the very nature of news itself.

### TOUGH CALLS

Here are some scenarios, taken from real news stories. It is useful to draw up a list of the Five Ws for each situation. Do these help in deciding how to handle each situation? Does Kohlberg's ladder help?

- 1 Your TV newsroom has shots of a local hotel fire, including two people dead. Do you run them? On the supper-hour news?
- 2 Police want you to publish the names of several convicted pedophiles now living in your community. Do you?
- 3 Your reporter finds himself in the motel room next to the premier, out on the campaign trail, and overhears a most revealing phone call. Can he write a story about it?
- 4 A major advertiser asks you to suppress a news story about his drunk-driving conviction. What to do?