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ETHICAL DILEMMAS JOURNAL ARTICLE MEDIA AND SOCIETY

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ABSTRACT

This paper investigates the importance of ethical practices in journalism by critically looking at what media ethics is all about and how to resolve ethical dilemmas. Moreover, asks an important question: why do journalists often tend to ignore ethical principles and tweak the news stories? This paper answers these questions by applying various moral philosophies, codes of ethics, frameworks such as Kantian and Virtue Ethics and by referring to relevant case studies. This paper intends to deliberate the need for and importance of ethics in journalism.

Keywords: Media Ethics, Journalism, Codes of ethics, Ethical Dilemma, Democracy, Ethical philosophies.

MEDIA ETHICS: IDENTIFYING ETHICAL ISSUES AND RESOLVING ETHICAL DILEMMAS

Ethics for journalists or media professionals can be defined as questions of right and wrong (or responsible and irresponsible) courses of action, questions of obligation and duty (hence also of rights and freedoms). Furthermore, the ethical professional practice requires further skills on how to conduct oneself in given social contexts, sense of fidelity (or otherwise) to social, religious, civil or professional codes of behaviour that underpin ethical reasoning and decision-making. However, since Media Ethics is a broader concept than we usually think it is vital for us to identify the historical origins of our sense of ethics and of particular moral and professional values recognising the varying philosophical frameworks for understanding the nature of ethics.

Furthermore, it is essential to expand on how to enable ethical action reflecting on the many competing value systems, moral principles, and loyalties that underpin ethical reasoning and decision-making. Although the journalistic code of ethics, various ethical principles and religious philosophies teach virtues such as honesty, fairness, and truth-telling, we need to go beyond these basic principles and ask pertinent questions. Moreover, ask a question such as what media ethics is and how to resolve ethical dilemmas?

What is ethics? The origin of ethics goes back more than two thousand years to ancient Greek philosophy, Indian Philosophy, the Christian religion, Buddhist thinking, and Islamic moral codes. There was a lot of commonality among the early philosophies and religion: do not steal; do not bear false witness; do not murder - these three we still call crimes. The Utilitarians (Philosopher Jeremy Bentham's Utilitarian Philosophy) would justify the reporting carried out in the interest of the public ('public interest') and further following the philosophy of 'end justifies the means', and 'greatest good for the greatest number'.

On the contrary, Kantian ethics would not justify the act, as the principle of gathering the story does not satisfy the principles, 'end do not justify the means', and 'do according to what the rest of the world should follow'. Kant's ethics also claim that we should 'act in such a way that you always treat humanity... never simply as a means, but always at the same time as an end' (Vardy and Grosch, p. 58). According to Kant, the result or outcome does not matter. A good act is not determined by its results, but by the intentions, motivations, and reasons lying behind it. A morally good action is one that is carried out rationally, from a sense of duty, regardless of its consequences. Vardy and Grosch (1999, P.55) argue that "A goodwill is fostered by a human being acting rationally and eliminating those inclinations and desires which tend to undermine rational decision making. This does not mean that inclinations are necessarily wrong- simply that they are not a reliable guide to the rightness of moral conduct".

According to Kant, "the good person must act correctly, according to reason, no matter what the consequences (...)". Kant's Categorical Imperative, a formula for determining moral rule excludes self-interest as its motivating factor. So, from a philosophy comes a code of moral-right and wrong. Ethics is different. Ethics is a framework of thinking, and within this framework, we decide what to do when we have a choice about behaviour which is appropriate. Ethics is a more significant concept than moral. Morals are about right-and-wrong choices that people make in their personal lives and relationships. They are learned as part of culture and upbringing and may differ between families and between ethnic groups. Some morals that are consistent across different parts of our community are made into rules or laws' (Hendtlass, J & Nichols, A. 2003, pp.5-6). These distinctions are important to media professionals and journalists as they play a significant role in a democracy. As journalists discharge such moral obligations, they facilitate a democratic conversation (Adam, Craft, and Cohen, 2004, p.250). In my view, initiating democratic conversation is crucial because this empowers citizens in a democracy. A good democracy requires among other things, informed citizens who can make decisions based on the information available to them.

In order to achieve this, media have to perform its potential without any prejudice, bias, and act in the interest of the public. Frost (2016, pp49-50) argues that:

The public interest sits alongside the concept of a free press. Freedom of expression is an individual right, but there is a public interest in having a free press; a vehicle to allow the expression of the opinions of individuals. After all, there is not much point in having free expression, if the only time you can use it is when you are alone. It is important to have a conduit to allow the free flow of ideas, to deal with controversial thoughts to debate within the public sphere.

However, in a democracy, unfortunately, media tend to indulge in various unethical practices such as cash for comment, checkbook journalism, using a hidden camera, death knock, invading the privacy of individuals, and so on. Why? There is constant pressure for journalists

to perform well and compete with other channels of communication. Jonathan Holmes, the host of (Australian Broadcasting Corporation) ABC's *Media Watch* analysing the present situation in Australia, argues that: For journalists these days, the deadline is always "now." Fewer and fewer people are under pressure to produce more and more. That means less time to research, less time to write, less time to check, fewer sub-editors to knock copy into shape. This leads us to ask questions on the journalist's obligation to work and society. Christians et al (2009) list five categories of obligation: duty to ourselves - self-interest while we claim to be following our conscience; duty to clients- deliver the most appropriate action to clients; duty to our organisation or firm- loyalty to an employer can be a moral good; duty to professional colleagues; and duty to society- social responsibility. In this context, Seib & Fitzpatrick (1997, pp 87-88) ask, "Does the public's right to, and need for the information outweigh ethically questionable methods in getting it? Does the newsworthy end justify the reportorial means? Jonathan Holmes (2009) further argues that 'If the facts and the witnesses and the documents don't fit the story, the scrupulous journalist will tweak the story, or change it to fit the facts or discard it altogether. He or she will go to the boss with the dreaded words, "The story doesn't stand up." The less scrupulous will tweak the facts; ignore the inconvenient document or cherry-pick the witnesses' words, so that the story can survive'. Jonathan Holmes mainly argues that the institutional and commercial pressures of journalism motivate journalists to tweak their news stories and sometimes sensationalize the content. Let's look into an example.

The spot-fixing cricket scandal case shows that the media are constantly competing with one another for better stories, and thus follow dubious methods to gather news and sensationalise the content of news. One example is the cricket 'spot-fixing' scandal that a British tabloid newspaper, *News of the World* journalist, exposed in an undercover video sting operation. This provided evidence that three Pakistani cricketers were involved in 'spot fixing' during the Test Match between England and Pakistan held from 26 August to 30 August 2010 at Lord's in London. *The News of the World* published a story on 29th August 2010, which provided links to videos alleging that three test players were involved in a 'spot fixing', which subsequently rocked the cricketing world. The undercover video shot by *The News of the World* journalist led to the suspension of the three cricketers by the International Cricket Council (ICC), which ultimately finding them guilty of spot-fixing. Although the outcome of this undercover operation produces greater outcomes, numerous ethical issues remain unanswered.

The Leveson inquiry (2012) conducted in the UK after The News of the World's phone-hacking scandal condemned the way journalists function. The report argues that:

Journalists sometimes have to be persistent when pursuing an important story that the target may not want to be investigated or the subject of a press report. Unfortunately, the virtue of persistence has sometimes been pursued – whether by door-stepping, chase by photographers, persistent telephone calls and the like – to the point of vice, where it has become (or, at the very least, verges on) harassment. There has been extensive evidence of the publication of private information without consent and, again, without discernible legitimate public interest: many such stories will not cause harm or distress and no-one will complain but some stories do.

The virtue of persistence, as explained, can be problematic because often private information without consent leads to harassment. I would argue that even when consent is obtained, it is vital for journalists and media professionals to consider their own judgement as the people who

are in distress may not understand the consequences. These unethical practices can occur while reporting news stories concerning death knock, victims, and crime. However, ethical questions go beyond seeking consent:

- Is it acceptable for media people deliberately to deceive a potential source of information about their professional identity or intentions?
- Is it ever acceptable to steal documents, photographs, or other material from a source or to copy them without first asking permission?
- Is it ever acceptable for media people to accept gifts, tickets or other freebies?
- Is it ever acceptable for media people to seek or give special treatment for themselves, their families, or causes they favour?
- Is it ever acceptable for media people to violate laws, including speeding and parking laws? Are they 'above' them? (Vardy & Grosch,1999, p. 269).

These questions need serious consideration as we witness various instances around the world where media people use various dubious ways while reporting news and current affairs. William Safire, New York Times columnist, said after he received an invitation to attend a reception at the White House:

Like everybody else, I'd love to have a drink with the president in the Oval Office. But the purpose of this well-meant and beautifully engraved invitation is not social, it is political and influential, and I have found that in the world of political journalism, good fences make good neighbors. Therefore, I respond... with a respectful regret. I want my questions answered by an alert and experienced politician, prepared to be grilled and quoted- not my handheld by an old smoothie. (cited in Seib & Fitzpatrick, 1997:p.102).

William Safire illustrated the importance of being faithful to the truth of the facts, life situations rather than presenting manipulated and influenced version of reality. Vardy and Grosch's questions listed above maintain the same argument that media people have to remain ethical in all problematic situations. There are reasons and purposes behind being ethical in problematic situations, particularly in a democracy. Belsey (1998, pp.9-10) argues that:

If the people are to cast their votes wisely and rationally they too must know what is going on. Information is necessary (though insufficient) for a successful democracy, in as much as it requires the free circulation of news, opinion, debate and discussion.

Although the journalistic codes, for instance, in Australia, MEAA (Media Entertainment and Arts Alliance) codes of this ethics provide broad guidelines, it is essential for journalists in a democracy to transform and convert themselves to be a virtuous journalist through constant practice in ethical journalism. The following twelve codes of ethical principles of MEAA (1999) provide broad guidelines for media professionals:

1. Report and interpret honestly, striving for accuracy, fairness and disclosure of all essential facts. Do not suppress relevant available facts, or give distorting emphasis. Do your utmost to give a fair opportunity for reply.

2. Do not place unnecessary emphasis on personal characteristics, including race, ethnicity, nationality, gender, age, sexual orientation, family relationships, religious belief, or physical or intellectual disability.
3. Aim to attribute information to its source. Where a source seeks anonymity, do not agree without first considering the source's motives and any alternative attributable source. Where confidences are accepted, respect them in all circumstances.
4. Do not allow personal interest, or any belief, commitment, payment, gift or benefit, to undermine your accuracy, fairness or independence.
5. Disclose conflicts of interest that affect, or could be seen to affect, the accuracy, fairness or independence of your journalism. Do not improperly use a journalistic position for personal gain.
6. Do not allow advertising or other commercial considerations to undermine accuracy, fairness or independence.
7. Do your utmost to ensure disclosure of any direct or indirect payment made for interviews, pictures, information or stories.
8. Use fair, responsible and honest means to obtain material. Identify yourself and your employer before obtaining any interview for publication or broadcast. Never exploit a person's vulnerability or ignorance of media practice.
9. Present pictures and sound which are true and accurate. Any manipulation likely to mislead should be disclosed.
10. Do not plagiarise.
11. Respect private grief and personal privacy. Journalists have the right to resist compulsion to intrude.
12. Do your utmost to achieve fair correction of errors.

These guidelines are there for journalists to follow in their professional practice. However, law takes precedence when it comes to professional practice and ethical codes have been overlooked. Frost (2016, pp.248-249) argues that:

There is a close relationship between the law, ethics and regulation as both are attempting to restrain or constrain the media to behave responsibly, but the purpose of law is always to set the limits of behaviour (...). The law has a more powerful effect on people than a code of conduct. A person's own moral code may supercede the law every time, but a professional code can only be for guidance.

The media people seem to follow the regulations and laws primarily but tend to ignore the ethical principles while reporting news stories. Unfortunately, they tend to be loyal to a newspaper's credibility or readership and failed to safeguard and protect the suffering few, the victims and people who are unable to defend themselves.

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