1

An Introduction to Ethical Decision Making

By the end of this chapter, you should be able to:

- **recognize the need for professional ethics in journalism.**
- **work through a model of ethical decision making.**
- **identify and use the five philosophical principles applicable to mass communication situations.**

MAKING ETHICAL DECISIONS

Scenario #1: You work for a PR firm that represents pharmaceutical giant PharMedCo. The drug company has an herbal medicine used successfully in Europe to lower blood pressure. PharMedCo wants to sell it in the United States. They are planning a major national promotion, generating large fees for your firm. They want to use "third-party strategy," hiring key opinion leaders in the medical world to help get the word out and create a buzz by talking up the advantages of herbal products but they would not push PharMedCo's new herbal medicine directly. In doing some research, you discover a little-known piece of information: if the herb is used in combination with another over-the-counter drug, it can be abused to get high. You tell PharMedCo but they want you to go ahead without informing the third-party experts, who might possibly back out or even warn the public. What should you do?

Scenario #2: The public high school in your local community is normally violence free, although police officers are stationed there by agreement with the city to help avoid problems. A reporter at your station gets a tip that a fight broke out and was broken up by an administrator. The fight was between two young women and the reporter is tipped that cell phone footage of it is on YouTube. The video shows the school official (but not the police officer) apparently throwing one of the young women to the ground in an effort to stop the fight while other unidentified people stand by, talking, laughing and screaming. The administrator is Caucasian; some

of the students involved in the fight are African-American, including the young woman who is the focus of the YouTube footage. School officials maintain that no one was hurt and that the action taken by the administrator was necessary. The parents of the young woman say she was injured, but she does not receive medical treatment and is suspended from school for three days. At airtime, no other charges have been filed. Your reporter wants to incorporate the YouTube posting on the station's Web site as part of the coverage, and to include a few frames of it in her story. As the producer of the newscast, what do you advise?

Scenario #3: You are the producer for the nightly newscasts of the third-rated station in a Top-30 market. Poor ratings have caused the station to pay the lowest salaries in the market, meaning that most of the staff, like you, are relatively fresh out of college. Hoping to gain more market share, your station has formed an investigative team, and "I-Team" ads are airing throughout the day. Within weeks, they capture their first exclusive story. The I-Team has staked out the local airport—a medium-size facility with many domestic routes and four international flights daily. They have found several glaring security breaches. Running the story will expose the loopholes and possibly cause responsible parties to close them. However, the story could give important information to potential terrorists who might try to exploit other airports with your information. This story could give a big boost to your new investigative thrust. What do you do?

Scenario #4: You are the promotions director for a local television station that sponsors a large Christmas drive for all the charities that help the needy in your community. The station not only provides a large advance gift to start the campaign, but it also airs a feature story each night after Thanksgiving on a different charity receiving money. To avoid tying up staff, the station outsources the stories to a local public relations firm specializing in video news releases. About a week into this year's campaign you get a call from a woman who says that yesterday's video for the food bank where she works was staged. She also tells you off the record that the story stretches the truth of the amount of good the food bank does as well. You call a few of the other charities already profiled by the PR agency and detect a similar pattern: staged video and exaggerated stories. No one, however, wants to go on the record for fear they will be dropped from the list of charities receiving the funds. What do you do next?

The Dilemma of Dilemmas

The scenarios above are dilemmas—they present an ethical problem with no single (or simple) "right" answer. Resolving dilemmas is the business of ethics. It's not an easy process, but ethical dilemmas can be anticipated and prepared for, and there is a wealth of ethical theory—some of it centuries old—to back up your final decision. In this chapter and throughout this book, you will be equipped with both the theories and the tools to help solve the dilemmas that arise in working for the mass media.

In the end, you will have tools, not answers. Answers must come from within you, but your answers should be informed by what others have written and experienced. Otherwise, you will always be forced to solve each ethical problem without

the benefit of anyone else's insight. Gaining these tools also will help you to prevent each dilemma from spiraling into "quandary ethics"—the feeling that no best choice is available and that everyone's choice is equally valid (see Deni Elliott's essay following this chapter).

Will codes of ethics help? Virtually all the media associations have one, but they have limitations. For instance, the ethics code for the Society of Professional Journalists could be read to allow for revealing or withholding the information in the airport scenario above, two actions that are polar opposites. That doesn't make the code useless; it simply points out a shortfall in depending on codes.

While we don't dismiss codes, we believe you will find more universally applicable help in the writings of philosophers, ancient and modern, introduced in this chapter.

This book, or any ethics text, should teach more than a set of rules. It should give you the skills, analytical models, vocabulary and insights of others who have faced these choices, to make and justify your ethical decisions.

Some writers claim that ethics can't be taught. It's situational, some claim. Since every message is unique, there is no real way to learn ethics other than by daily life. Ethics, it is argued, is something you have, not something you do. But while it's true that reading about ethics is no guarantee you will perform your job ethically, thinking about ethics is a skill anyone can acquire.

While each area of mass communication has its unique ethical issues, thinking about ethics is the same, whether you make your living writing advertising copy or obituaries. Thinking about ethics won't necessarily make tough choices easier, but, with practice, your ethical decision making can become more consistent. A consistently ethical approach to your work as a reporter, photographer or copywriter in whatever field of mass communication you enter can improve that work as well.

Ethics and Morals

Contemporary professional ethics revolves around these questions:

- What duties do I have, and to whom do I owe them?
- What values are reflected by the duties I've assumed?

Ethics takes us out of the world of "This is the way I do it" or "This is the way it's always been done" into the realm of "This is what I should do" or "This is the action that can be rationally justified." Ethics in this sense is "ought talk." The questions arising from duty and values can be answered a number of ways as long as they are consistent with each other. For example, a journalist and a public relations professional may see the truth of a story differently because they see their duties differently and because there are different values at work in their professions, but each can be acting ethically if they are operating under the imperatives of "oughtness" for their profession.

It is important here to distinguish between *ethics,* a rational process founded on certain agreed-on principles, and *morals,* which are in the realm of religion. For example, the Ten Commandments are a moral system in the Judeo-Christian tradition, and Jewish scholars have expanded this study of the laws throughout

A Word about Ethics

The concept of ethics comes from the Greeks, who divided the philosophical world into separate disciplines. *Aesthetics* was the study of the beautiful and how a person could analyze beauty without relying only on subjective evaluations. *Epistemology* was the study of knowing, debates about what constitutes learning and what is knowable. *Ethics* was the study of what is good, both for the individual and for society. Interestingly, the root of the word means "custom" or "habit," giving ethics an underlying root of behavior that is long established and beneficial to the ongoing of society. The Greeks were also concerned with the individual virtues of fortitude, justice, temperance and wisdom, as well as with societal virtues, such as freedom.

Two thousand years later, ethics has come to mean learning to make rational decisions among an array of choices, all of which may be morally justifiable, but some more so than others. Rationality is the key word here, for the Greeks believed, and modern philosophers affirm, that people should be able to explain their ethical decisions to others and that acting ethically could be shown to be a rational decision to make. That ability to explain ethical choices is an important one for media professionals whose choices are so public. When confronted with an angry public, "It seemed like the right thing to do at the time" is a personally embarrassing *and* ethically unsatisfactory explanation.

the Bible's Old Testament into the Talmud, a religious volume running more than 1,000 pages. The Buddhist Eightfold Path provides a similar moral framework.

But moral systems are not synonymous with ethics. *Ethics begins when elements within a moral system conflict.* Ethics is less about the conflict between right and wrong than it is about the conflict between equally compelling (or equally unattractive) alternatives and the choices that must be made between them. Ethics is just as often about the choices between good and better or poor and worse than about right and wrong, which tends to be the domain of morals.

When elements within a moral system conflict, ethical principles can help you make tough choices. We'll review several ethical principles briefly after describing how one philosopher, Sissela Bok, says working professionals can learn to make good ethical decisions.

BOK'S MODEL

Bok's ethical decision-making framework was introduced in her book, *Lying: Moral Choice in Public and Private Life.* Bok's model is based on two premises: that we must have empathy for the people involved in ethical decisions and that maintaining social trust is a fundamental goal. With this in mind, Bok says any ethical question should be analyzed in three steps.

First, consult your own conscience about the "rightness" of an action. *How do you feel about the action?*

Second, seek expert advice for alternatives to the act creating the ethical problem. Experts, by the way, can be those either living or dead—a producer or editor you trust or a philosopher you admire. *Is there another professionally acceptable way to achieve the same goal that will not raise ethical issues?*

Third, if possible, conduct a public discussion with the parties involved in the dispute. These include those who are directly involved such as a reporter or their source, and those indirectly involved such as a reader or a media outlet owner. If they cannot be gathered—and that will most often be the case—you can conduct the conversation hypothetically in your head, playing out the roles. The goal of this conversation is to discover *How will others respond to the proposed act?*

Let's see how Bok's model works in the following scenario. In the section after the case, follow the three steps Bok recommends and decide if you would run the story.

How Much News Is Fit to Print?

In your community, the major charity is the United Way. The annual fund-raising drive will begin in less than two weeks. However, at a late-night meeting of the board with no media present, the executive director resigns. Though the agency is not covered by the Open Meetings Act, you are able to learn most of what went on from a source on the board.

According to her, the executive director had taken pay from the agency by submitting a falsified time sheet while he was actually away at the funeral of a college roommate. The United Way board investigated the absence and asked for his resignation, citing the lying about the absence as the reason, though most agreed that they would have given him paid leave had he asked.

The United Way wants to issue a short statement, praising the work of the executive director while regretfully accepting his resignation. The executive director also will issue a short statement citing other opportunities as his reason for leaving. You are assigned the story by an editor who does not know about the additional information you have obtained but wants you to "see if there's any more to it [the resignation] than they're telling."

You call your source on the board and she asks you, as a friend, to withhold the damaging information because it will hinder the United Way's annual fund-raising effort and jeopardize services to needy people in the community because faith in the United Way will be destroyed. You confront the executive director. He says he already has a job interview with another non-profit and if you run the story you will ruin his chances of a future career.

What do you do?

THE ANALYSIS

Bok's first step requires you to *consult your conscience.* When you do, you realize you have a problem. Your responsibility is to tell the truth, and that means providing readers with all the facts you discover. You also have a larger responsibility not

to harm your community, and printing the complete story might well cause short-term harm. Clearly, your conscience is of two minds about the issue.

You move to the second step: *alternatives.* Do you simply run the resignation release, figuring that the person can do no further harm and therefore should be left alone? Do you run the whole story but buttress it with board members' quotes that such an action couldn't happen again, figuring that you have restored public trust in the agency? Do you do nothing until after the fund-raising drive and risk the loss of trust from readers if the story circulates around town as a rumor? Again, there are alternatives, but each has some cost.

In the third step of Bok's model, you will attempt to *hold a public ethical dialogue* with all of the parties involved. Most likely you won't get all the parties into the newsroom on deadline. Instead you can conduct an imaginary discussion among the parties involved. Such a discussion might go like this:

EXECUTIVE DIRECTOR: "I think my resignation is sufficient penalty for any mistake I might have made, and your article will jeopardize my ability to find another job. It's really hurting my wife and kids, and they've done nothing wrong."

REPORTER: "But shouldn't you have thought about that *before* you decided to falsify the time sheet? This is a good story, and I think the public should know what the people who are handling their donations are like."

READER 1: "Wait a minute. I am the public, and I'm tired of all of this bad news your paper focuses on. This man has done nothing but good in the community, and I can't see where any money that belonged to the poor went into his pocket. Why can't we see some good news for a change?"

READER 2: "I disagree. I buy the paper precisely because it does this kind of reporting. Stories like this that keep the government, the charities and everyone else on their toes."

PUBLISHER: "You mean like a watchdog function."

READER 2: "Exactly. And if it bothers you, don't read it."

PUBLISHER: "I don't really like to hurt people with the power we have, but if we don't print stories like this, and the community later finds out that we withheld news, our credibility is ruined, and we're out of business." [To source] "Did you request that the information be off the record?"

SOURCE: "No. But I never thought you'd use it in your story."

REPORTER: "I'm a reporter. I report what I hear for a living. What did you think I would do with it? Stories like these allow me to support my family."

EXECUTIVE DIRECTOR: "So it's your career or mine, is that what you're saying? Look, no charges have been filed here, but if your story runs, I look like a criminal. Is that fair?"

PUBLISHER: "And if it doesn't run, we don't keep our promise to the community. Is that fair?"

NEEDY MOTHER: "Fair? You want to talk fair? Do you suffer if the donations go down? No, I do. This is just another story to you. It's the difference in me and my family getting by."

The conversation could continue, and other points of view could be voiced. Your imaginary conversations could be more or less elaborate than the one above, but out of this discussion it should be possible to rationally support an ethical choice.

There are two cautions in using Bok's model for ethical decision making. First, it is important to go through all three steps before making a final choice. Most of us make ethical choices prematurely, after we've consulted only our consciences, an error Bok says results in a lot of flabby moral thinking. Second, while you will not be endowed with any clairvoyant powers to anticipate your ethical problems, the ethical dialogue outlined in the third step is best when conducted in advance of the event, not in the heat of writing a story.

For instance, an advertising copywriter might conduct such a discussion about whether advertising copy can ethically withhold disclaimers about potential harm from a product. A reporter might conduct such a discussion well in advance of the time he is actually asked to withhold an embarrassing name or fact from a story. Since it is likely that such dilemmas will arise in your chosen profession (the illustration above is based on what happened to one of the authors the first day on the job), your answer will be more readily available and more logical if you hold such discussions either with trusted colleagues in a casual atmosphere or by yourself, well in advance of the problem. The cases in this book are selected partially for their ability to predict your on-the-job dilemmas and start the ethical discussion now.

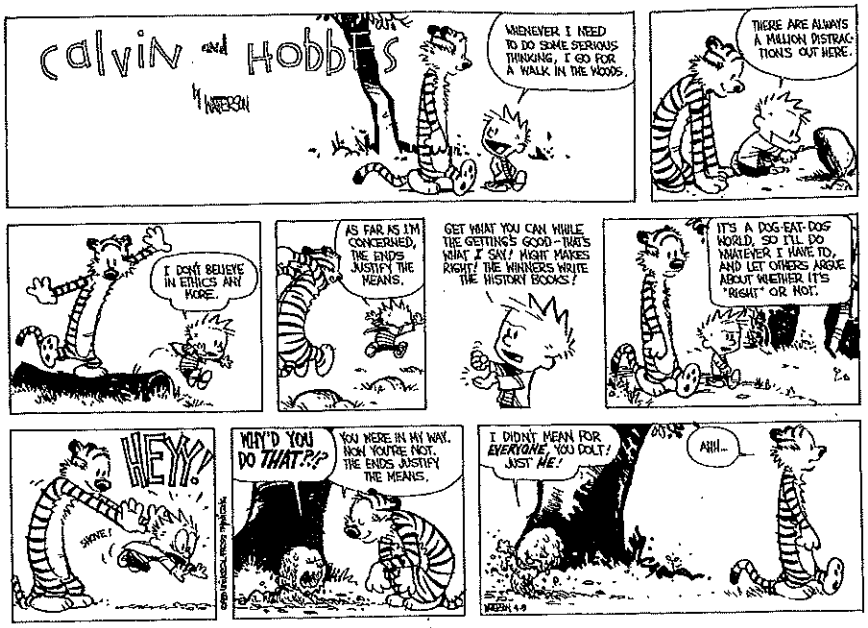
GUIDELINES FOR MAKING ETHICAL DECISIONS

Since the days of ancient Greece, philosophers have tried to draft a series of rules or guidelines governing how to make ethical choices. In ethical dilemmas such as the one above, you will need principles to help you determine what to do amid conflicting voices. While a number of principles work well, we will review five.

Aristotle's Golden Mean

Aristotle believed that happiness—which some scholars translate as "flourishing"—was the ultimate human good. By flourishing, Aristotle sought to elevate any activity through the setting of high standards, what he called exercising "practical reasoning."

Aristotle believed that practical reason was exercised by individuals who understood what the Greeks called the "virtues" and demonstrated them in their lives and calling. Such a person was the *phrenemos,* or person of practical wisdom, who demonstrated ethical excellence in their daily activity. For Aristotle, the highest virtue was citizenship, and its highest practitioner the statesman, a politician who exercised so much practical wisdom in his daily activity that he elevated the craft of politics to art. In contemporary terms, we might think of a *phrenemos* as a person who excels at any of a variety of activities—cellist Yo-Yo Ma, poet Maya Angelou, filmmakers George Lucas and Steven Spielberg. They are people



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who flourish in their professional performance, extending our own vision of what is possible.

This notion of flourishing led Aristotle to assert that people acting virtuously are the moral basis of his ethical system, not those who simply follow rules. His ethical system is now called *virtue ethics.* Virtue ethics flows from both the nature of the act itself and the moral character of the person who acts. In the Aristotelian sense, the way to behave ethically is that (1) you must know (through the exercise of practical reasoning) what you are doing; (2) you must select the act for its own sake—in order to flourish; and (3) the act itself must spring from a firm and unchanging character.

It is not stretching Aristotle's framework to assert that one way to learn ethics is to select heroes and to try to model your individual acts and ultimately your professional character on what you believe they would do. An Aristotelian might well consult this hero as an expert when making an ethical choice. Asking what my hero would do in a particular situation is a valid form of ethical analysis. The trick, however, is to select your heroes carefully and continue to think for yourself rather than merely copy behavior you have seen previously.

What then is a virtue? *Virtue lies at the mean between two extremes of excess and deficiency,* a reduction of Aristotle's philosophy often called the "Golden Mean" as shown in Figure 1.1. Courage, for example, is a mean between foolhardiness on one hand and cowardice on the other. But to determine that mean for yourself, you have to exercise practical wisdom, act according to high standards and act in accordance with firm and continuing character traits.

Unacceptable behaviors (deficiency)	Acceptable behaviors	Unacceptable behaviors (excess)
Cowardice	Courage	Foolhardiness
Shamelessness	Modesty	Bashfulness
Stinginess	Generosity	Wastefulness

FIGURE 1.1. Aristotle's golden mean

In reality, therefore, the middle ground of a virtue is not a single point on a line that is the same for every individual. It is instead a range of behaviors that varies individually, while avoiding the undesirable extremes. Candor is a good example of a virtue that is most certainly contextual—what is too blunt in one instance is kind in another. Consider two witnesses to a potential drowning: one onlooker is a poor swimmer but a fast runner, the other is a good swimmer but a slow runner. What is cowardice for one is foolhardy for the other. Each can exhibit courage, but in different ways.

Seeking the golden mean implies that individual acts are not disconnected from one another, but collectively form a whole that a person of good character should aspire to. A virtue theory of ethics is not outcome-oriented. Instead, it is agent-oriented, and right actions in a virtue theory of ethics are a result of an agent seeking virtue and accomplishing it. As Aristotle wrote in *Nicomachean Ethics:* "We learn an art or craft by doing the things that we shall have to do when we have learnt it: for instance, men become builders by building houses, harpers by playing on the harp. Similarly we become just by doing just acts, temperate by doing temperate acts, brave by doing brave acts."

Far from being old-fashioned, Aristotle's concept of virtue ethics has been rediscovered by a variety of professions. As Kenneth Woodward (1994) states in a *Newsweek* essay entitled "What is Virtue?" a call for virtue is still relevant today:

> But before politicians embrace virtue as their latest election-year slogan, they would do well to tune into contemporary philosophy. Despite the call for virtue, we live in an age of moral relativism. According to the dominant school of moral philosophy, the skepticism engendered by the Enlightenment has reduced all ideas of right and wrong to matters of personal taste, emotional preference or cultural choice. . . . Against this moral relativism, advocates of the "ethics of virtue" argue that some personal choices are morally superior to others.

Kant's Categorical Imperative

Immanuel Kant is best known for his *categorical imperative* which is most often stated in two ways. The first asserts that an individual should act as if the choices one makes for oneself could become universal law. The second states that you should act so that you treat each individual as an end and never as merely a means. Kant called these two rules "categorical" imperatives, meaning that their demands were universal and not subject to situational factors. Many readers will recognize the similarity between Kant's first manifestation of the categorical imperative and

the Bible's golden rule: Do unto others as you would have others do unto you. The two are quite similar in their focus on duty.

Kant's ethical theory is based on the notion that it is in the act itself, rather than the person who acts, where moral force resides. This theory of ethics is unlike Aristotle's in that it moves the notion of what is ethical from the actor to the act itself. This does not mean that Kant did not believe in moral character, but rather that people could act morally from a sense of duty even if their character might incline them to act otherwise.

For Kant, an action was morally justified only if it was performed from duty—motive matters to Kant—and in Kant's moral universe there were two sorts of duties. The strict duties were generally negative: not to murder, not to break promises, not to lie. The meritorious duties were more positive: to aid others, to develop one's talents, to show gratitude. Kant spent very little time defining these notions, but philosophers have generally asserted that the strict duties are somewhat more morally mandatory than the meritorious duties.

Some have argued that in Kant's ethical reasoning consequences are not important. We prefer a somewhat less austere reading of Kant. While Kant's view is that the moral worth of an action does not depend on its consequences, those consequences are not irrelevant. For example, a surgeon may show moral virtue in attempting to save a patient through an experimental procedure, but the decision about whether to undertake that procedure requires taking into account the probability of a cure. This framing of Kantian principles allows us to learn from our mistakes.

The test of a moral act, according to Kant, is its universality—whether it can be applied to everyone. For instance, under Kant's categorical imperative, journalists can claim few special privileges, such as the right to lie or the right to invade privacy in order to get a story. Kant's view, if taken seriously, reminds you of what you give up—truth, privacy and the like—when you make certain ethical decisions.

Utilitarianism

The original articulation of *utilitarianism* by Englishmen Jeremy Bentham and later John Stuart Mill in the 19th century introduced what was then a novel notion into ethics discussions: *The consequences of actions are important in deciding whether they are ethical.* In the utilitarian view, it may be considered ethical to harm one person for the benefit of the larger group. This approach, for example, is the ethical justification for investigative reporting, the results of which may harm individuals even as they are printed or broadcast in the hope of providing a greater societal good.

The appeal of utilitarianism is that it has proven to mesh well with Western thought, particularly on human rights. Harvard ethicist Arthur Dyck (1977, 55) writes of Mill:

> He took the view that the rightness or wrongness of any action is decided by its consequences. . . . His particular understanding of what is best on the whole was that which brings about the most happiness or the least suffering, i.e., the best balance of pleasure over pain for the greatest number.

The benefit of utilitarianism is that it provides a principle by which rightness and wrongness can be identified and judged, conflicts can be resolved and exceptions can be decided. The utilitarian calculus also has made possible the "quantification of welfare" Dyck says, allowing governments to make decisions that create the most favorable balance of benefits over harms.

With its focus on the consequences of an action, utilitarianism completes a cycle begun with Aristotle (see Table 1.1). Aristotle, in developing the golden mean, focused on the *actor.* Kant, in his categorical imperative, focused on the *action,* while Mill, in his utilitarian philosophy, focused on the *outcome.*

Utilitarianism has been condensed to the ethical philosophy of the "greatest good for the greatest number." While this pithy phrase is a very rough and ready characterization of utilitarian theory, it also has led to an overly mechanistic application of the principle: just tally up the amount of good and subtract the amount of harm. If the remaining number is positive, the act is ethical. However, when properly applied, utilitarianism is not mechanical.

To do justice to utilitarian theory, it must be understood within an historical context. Mill wrote after the changes of the Enlightenment. The principle of democracy was fresh and untried, and the thought that the average person should be able to speak his mind to those in power was novel. Utilitarianism as Mill conceived of it was a profoundly social ethic; Mill was among the first to acknowledge that the good of an entire society had a place in ethical reasoning.

Mill was what philosophers call a *valuational hedonist.* He argued that pleasure—and the absence of pain—was the only intrinsic moral end. Mill further asserted that an act was right in the proportion in which it contributed to the general happiness. Conversely, an act was wrong in the proportion in which it contributed to general unhappiness or pain. Utilitarianism can be subtle and complex in that the same act can make some happy but cause others pain. Mill insisted that both outcomes be valued simultaneously, a precarious activity but one that forces discussion of competing stakeholder claims.

TABLE 1.1. The Shifting Focus of Ethics from Aristotle to Mill

Philosopher	Known for	Popularly Known as	Emphasized
Aristotle	Golden mean	Virtue lies between extremes.	The actor
Kant	Categorical imperative	Act so your choices could be universal law; treat humanity as an end, never as a means only.	The action
Mill	Utility principle	An act's rightness is determined by its contribution to a desirable end.	The outcome

In utilitarian theory, no one's happiness is any more valuable than anyone else's, and definitely not more valuable than everyone's—quantity and quality being equal. In democratic societies, this is a particularly important concept because it meshes well with certain social and political goals. In application, utilitarianism has a way of puncturing entrenched self-interest, but when badly applied, it can actually promote social selfishness.

Utilitarianism also suggests that moral questions are objective, empirical and even in some sense scientific. Utilitarianism promotes a universal ethical standard that each rational person can determine. However, utilitarianism is among the most criticized of philosophical principles because it is so difficult to accurately anticipate all the consequences of a particular act. Different philosophers also have disputed how one calculates the good, rendering any utilitarian calculus fundamentally error prone.

While utilitarianism is a powerful theory, too many rely exclusively on it. Taken to extremes, the act of calculating the good can lead to ethical gridlock, with each group of stakeholders having seemingly equally strong claims with little way to choose among them. Sloppily done, utilitarianism may bias the user toward short-term benefit which is often contrary to the nature of ethical decisions.

Pluralistic Theory of Value

Philosopher William David Ross (1930) based his ethical theory on the belief that there is often more than one ethical value simultaneously "competing" for preeminence in our ethical decision making, a tension set up in the title of his book: *The Right and the Good.* Commenting on the tension, ethicist Christopher Meyers (2003, 84) says:

> As the book title suggests, Ross distinguished between the *right* and the *good.* The latter term refers to an objective, if indefinable, quality present in all acts. It is something seen, not done. Right, on the other hand, refers to actions. A right action is something undertaken by persons motivated by correct reasons and on careful reflection. Not all right actions, however, will be productive of the good.

In acknowledging the competition between the good and the right, Ross differs from Kant or Mill, who proposed only one ultimate value. To Ross these competing ethical claims, which he calls duties, are equal, providing the circumstances of the particular moral choice are equal. Further, these duties gain their moral weight not from their consequences but from the highly personal nature of duty.

Ross proposed these types of duties:

1. Those duties of *fidelity,* based on my implicit or explicit promise;
2. Those duties of *reparation,* arising from a previous wrongful act;
3. Those duties of *gratitude* that rest on previous acts of others;
4. Those duties of *justice* that arise from the necessity to ensure the equitable and meritorious distribution of pleasure or happiness;
5. Those duties of *beneficence* that rest on the fact that there are others in the world whose lot we can better;

6. Those duties of *self-improvement* that rest on the fact that we can improve our own condition; and
7. One negative duty: the duty of *not injuring others.*

We would recommend two additional duties that may be implied by Ross's list but are not specifically stated:

1. The duty to tell the truth, *veracity* (which may be implied by fidelity); and
2. The duty to *nurture,* to help others achieve some measure of self-worth and achievement.

Ross's typology of duties works well for professionals who often must balance competing roles. It also brings to ethical reasoning some affirmative notions of the primacy of community and relationships as a way to balance the largely rights-based traditions of much Western philosophical theory.

Like Kant, Ross divided his duties into two kinds. *Prima facie* duties are those duties that seem to be right because of the nature of the act itself. *Duty proper* (also called actual duties) are those duties that are paramount given specific circumstances. Arriving at your duty proper from among the prima facie duties requires that you consider what ethicists call the *morally relevant differences.* But Ross (1988, 24) warns that:

> . . . there is no reason to anticipate that every act that is our duty is so for one and the same reason. Why should two sets or circumstances, or one set of circumstances *not* possess different characteristics, any one of which makes a certain act our *prima facie* duty?

Let's take an example using one of Ross's prima facie duties: keeping promises. In your job as a reporter, you have made an appointment with the mayor to discuss a year-end feature on your community. On your way to City Hall, you drive by a serious auto accident and see a young child wandering, dazed, along the road. If you stop to help you will certainly be late for your appointment and may have to cancel altogether. You have broken a promise.

But is that act ethical?

Ross would probably say yes because the specific aspects of the situation had a bearing on the fulfillment of a *prima facie* duty. You exercised discernment. You knew that your commitment to the mayor was a relatively minor sort of promise. Your news organization will not be hurt by postponing the interview, and your act allowed you to fulfill the prima facie duties of beneficence, avoiding harm and nurturing. Had the interview been more important, or the wreck less severe, the morally relevant factors would have been different. Ross's pluralistic theory of values may be more difficult to apply than a system of absolute rules, but it reflects the way we make ethical choices.

Ross's concept of multiple duties "helps to explain why we feel uneasy about breaking a promise even when we are justified in doing so. Our uneasiness comes from the fact that we have broken a *prima facie* duty even as we fulfilled another." (Lebacqz 1985, 27).

Communitarianism

Classical ethical theory places its dominant intellectual emphasis on the individual and individual acts by emphasizing concepts such as character, choice, liberty and duty. But contemporary realities points out the intellectual weakness in this approach. Consider the environment. On many environmental questions, it is possible for people to make appropriate individual decisions—today I drive my car—which taken together promote environmental degradation. My individual decision to drive my car (or to purchase a hybrid car) doesn't matter very much; but when individual decisions accumulate, the impact is profound not only for a single generation but for subsequent ones as well.

Communitarianism, which has its roots in political theory, seeks to provide ethical guidance when confronting the sort of society-wide issues that mark current political and business activity. Communitarianism returns to Aristotle's concept of the "polis"—or community—and invests it with moral weight. People begin their lives, at least in a biological sense, as members of a two-person community. Communitarian philosophy extends this biological beginning to a philosophical worldview. "In communitarianism, persons have certain inescapable claims on one another that cannot be renounced except at the cost of their humanity" (Christians et al. 1993, 14). Communitarians assert that when issues are political and social, community interests trump individual interests but does not trample them.

Communitarianism focuses on the outcome of individual ethical decisions analyzed in light of their potential to impact society. And when applied to journalism, you have a product "committed to justice, covenant and empowerment. Authentic communities are marked by justice; in strong democracies, courageous talk is mobilized into action. . . . In normative communities, citizens are empowered for social transformation, not merely freed from external constraints" (Christians et al. 1993, 14).

Communitarianism asserts that social justice is the predominant moral value. Communitarians recognize the value of process, but are just as concerned with outcomes. History is full of "good" processes that led to bad outcomes. For example, democratic elections led to the 1933 takeover of Germany by a minority party headed by Hitler. It was a democratically written and adopted Constitution which included the three-fifths clause where African-Americans were equal to three-fifths of a single Caucasian for purposes of population count. Under communitarianism, the ability of individual acts to create a more just society is an appropriate measure of their rightness and outcomes are part of the calculus.

Communitarian thinking allows ethical discussion to include values such as altruism and benevolence on an equal footing with more traditional questions such as truth telling and loyalty. Indeed, Nobel Prize winning work in game theory has empirically demonstrated that cooperation, one of the foundation stones of community, provides desirable results once thought to be possible only through competition (Axelrod 1984). Cooperation is particularly powerful when the "shadow of the future," an understanding that we will encounter the outcome of our decisions and their impact on others in readily foreseeable time, is taken into account.

Communitarian suffers from a lack of a succinct summary of its general propositions. But any notion of a communitarian community begins with the fact that

its members would include, as part of their understanding of self, their membership in the community. "For them, community describes not just what they have as fellow citizens but also what they are, not as a relationship they choose (as in a voluntary association) but an attachment they discover, not merely an attribute but as a constituent of their identity" (Sandel 1982, 150). Communitarian community resembles family more than it resembles town.

Under communitarianism, journalism cannot separate itself from the political and economic system of which it is a part. Communitarian thinking makes it possible to ask whether current practice (for example, a traditional definition of news) provides a good mechanism for a community to discover itself, learn about itself and ultimately transform itself.

Communitarian reasoning allows journalists to understand their institutional role and to evaluate their performance against shared societal values. For instance, the newsroom adage "if it bleeds it leads" might sell newspapers or attract viewers, but it also might give a false impression of community and its perils to the most vulnerable members. Communitarianism would not ban the coverage of crime but would demand context that would help viewers or readers decide if they need to take action.

Thinking as a communitarian not only mutes the competition among journalistic outlets, it also provides a new agenda for news. Rape stories would include mobilizing information about the local rape crisis center. Political stories would focus on issues, not the horserace or personal scandals, and the coverage would be ample enough for an informed citizenry to cast a knowledgeable ballot. Writers have linked communitarian philosophy with the civic journalism movement. But like the philosophy of communitarianism, the practice of civic journalism has not yet been embraced by the mainstream of society.

THE "SCIENCE" OF ETHICS

Life in the 21st century has changed how most people think about issues, such as what constitutes a fact and what does or does not influence moral certainty. But ethical theory, with its apparent uncertainties and contradictions, appears to have taken a back seat to science. As people have become drawn to ethics they seek "the answer" to an ethical dilemma in the same way they seek "the answer" in science. Consequently, the vagaries of ethical choice as contrasted with the seeming certainty of scientific knowledge casts an unfair light on ethics.

We'd like to offer you a different conceptualization of "the facts" of both science and ethics. Science, and the seeming certainty of scientific knowledge, has undergone vast changes in the past 100 years. Before Einstein, most educated people believed that Sir Francis Bacon had accurately and eternally described the basic actions and laws of the physical universe. But Bacon was wrong. Scientific inquiry in the 20th century explored a variety of physical phenomena, uncovered new relationships, new areas of knowledge and new areas of ignorance. The "certainty" of scientific truth has changed fundamentally in the last 100 years, and there is every

reason to expect similar changes in this century, especially in the areas of nano technology. Science and certainty are not synonymous, despite our tendency to blur the two.

Contrast these fundamental changes in the scientific worldview with the developments of moral theory. Aristotle's writing, more than 2,000 years old, still has much to recommend it to the modern era. The same can be said of utilitarianism and of the Kantian approach—both after 100 years of critical review. Certainly, new moral thinking has emerged—for example, feminist theory, but such work tends to build on rather than radically alter the moral theory that has gone before. Ethical philosophers still have fundamental debates but these debates have generally tended to deepen previous insights rather than to "prove" them incorrect. Further, thinking about global ethics uncovers some striking areas of agreement. We are aware of no ethical system, for example, that argues that murder is an ethical behavior, or that lying, cheating and stealing are the sorts of activities that human beings ought to engage in on a regular basis.

From this viewpoint, there is more continuity in thinking about ethics than in scientific thought. When the average person contrasts ethics with science, it is ethics that tends to be viewed as changeable, unsystematic and idiosyncratic. Science has rigor, proof and some relationship to an external reality. We would like to suggest that such characterizations arise from a short-term view of the history of science and ethics. In our view, ethics as a field has at least as much continuity of thought as developments in science. And while it cannot often be quantified, it has the rigor, the systematic quality and the relationship to reality that moderns too often characterize as the exclusive domain of scientific thinking.

Suggested Readings

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