

3. Journalism Ethics and Models

It is useful to spend a moment considering some of the most fundamental aspects of journalism. What is it? For some, it is a simple search for the truth.ⁱ That is historically true of Canadian journalists who have been described as pure seekers of truth, from which nothing and nobody can divert them.”ⁱⁱ At the day-to-day level, Adam says: “journalism is comprised of reports, story-telling and commentaries in public media about events and ideas as they occur. Its principle elements are: judgment – broadly speaking, news judgment – and reporting, language, narration and analysis.”ⁱⁱⁱ Simply stated the cornerstone of journalism is reporting.^{iv}

Each day, reporters either have to make decisions about what they will write about or present as news, or they will be assigned stories, usually by an assignment editor. Much has been written about news judgment. Some of it is self evident, some of it is not. Two airliners slamming into the twin towers of the World Trade Centre in New York on September 11, 2001, is news. The crash of an airplane on a local airport runway would be front-page news at most Canadian daily newspapers, while the safe landing of most airplanes is not. As a result, newspapers have, from time to time, been accused of printing only bad news.

The kind of newspaper journalists work at can often determine what kind of stories they write. Sex and scandal are the bread and butter of some newspapers, primarily tabloids. On the other hand, an esoteric story that ran in the *New York Times* in 1987 about a debate over the analytic and moral schools among professional philosophers in the United States^v would not see the light of day in many Canadian daily newspapers. Where the stories run – on the front page or inside somewhere else – whether there will be accompanying pictures or art, how big or how small the pictures or art will be, how big the headline will be and what it will say are usually made by a cadre of editors, valued for their experience who assemble the daily story package.

In addition to what makes news, journalists also have to make decisions about the ethics of how they go about their work. Some journalists learn about ethics formally in journalism schools, while others learn by osmosis in their respective newsrooms. A journalist who accepts free flights from airlines, for example, to pursue a story can find himself looking very hypocritical writing about a politician who compromises his integrity by accepting free airline flights. Such indiscretions can affect journalists’ and their newspapers’ reputations in their communities. Some newspapers have policies preventing the acceptance of free flights or gifts over a specified value, while others do not. Policies on plagiarism are usually rigid, while others on privacy, stating how aggressively victims’ families or victims themselves are pursued, vary.

There is also a well-understood journalistic value of a church/state separation ethic –also referred to as “The Wall” – between the formal and informal arrangement newspapers should enter into to avoid conflicts of interest. Few examples are as blatant as the 1999 profit-sharing arrangement entered into by the *Los Angeles Times* and the Staples Centre when the newspaper and the Centre split the profits from a 168-page

special issue of its Sunday magazine devoted entirely to the new downtown centre. “That arrangement constituted a conflict of interest and violation of editorial independence so flagrant that more than 300 *Times* reporters and editors had signed a petition demanding their publisher, Kathryn Downing, apologize and undertake a ‘thorough review of all other financial relationships that may compromise the *Times*’ editorial heritage.’”^{vi} In a special report on the ethical scandal, it was noted that the *Times* was not the first newspaper to make deals with a sports arena or a team. It noted the owners of the *USA Today*, the *Chicago Tribune*, *The Dallas Morning News*, the *Arizona Republic*, the *Pittsburg Post-Gazette* and the *Rocky Mountain News* all invested in sports teams. The ethical argument against that usually resembles: “Even if these newspapers are scrupulously fair, such arrangements put them in the awkward position of having to cover, on a regular basis, teams that are part of their own corporate families. The potential for – and the appearance of – a conflict of interest is inevitable.”^{vii}

There is also what has been referred to as a “Wall” between a newspaper’s newsroom and its advertising department, making newspapers a business anomaly where most employees have a responsibility to improve the company’s financial performance or the bottom line.^{viii} As an ethical responsibility to the North American values of journalism – service to the readers – journalists have routinely written stories that offend advertisers, the major contributors to a newspaper’s bottom line. In 1981, the *Royal Commission on Newspapers* found advertisers’ direct influence over editorial content exceedingly rare but, if it happened, it was most likely to take place at small newspapers, not large metropolitan dailies.^{ix}

As a result of such considerations, over time, reporters build up reputations for themselves among sources and readers as ethical journalists or unethical journalists by virtue of the fact a reporter’s byline usually accompanies the stories he or she has written. Their reputations, in turn, collectively build up the credibility of their newspapers. But there is more to newspapers than the role reporters and editors have in establishing their newspaper’s credibility and vice versa: owners and publishers play a central role. In the late 1970s, for example, it was the ethical credibility of *The Washington Post* that allowed it to take the lead role in exposing the Watergate scandal that ended the presidency of Richard M. Nixon. Much of the credit for that newspaper’s reputation is given to the late Katharine Graham, then the *Post*’s owner and publisher.

Graham was described as the ideal boss who gave her employees at *The Washington Post* the ultimate journalistic gift: absolute independence. Its journalists were free to choose who to cover, what to write, whom to praise or whom to investigate. “Katherine Graham guaranteed freedom of the press to *The Post*’s journalists as though it were their birthright, not just hers... In the splendid organization she helped create, the people in the news department are totally insulated from the proprietor’s opinions. Only the ideal boss could have created this situation.”^x

At the day-to-day level, newspaper columnist Jim Hume bemoaned in the *Times Colonist* in Victoria that Canadian newspaper reporters, columnists and their newspapers themselves have no written code of ethics. He wrote there is “no national code of ethics,

no provincial code, no city code to set moral standards or appropriate behavior standards to keep all newspapers, weeklies, dailies large and small, and give-aways, toeing the same ethical line.”^{xi} The result, he said, is that journalists are left to their own devices to determine which ethical standard they want to adopt or which kind of journalist they want to be. He identified several types including contemplative reporters who conduct research, using questions to seek knowledge reported in clear terms; “gotcha” reporters who lay traps for their unsuspecting subjects hoping for a salable headline; and those who don’t ask questions but simply record and report others’ questions and answers as their own. Hume says his column resulted in a limited number of complaints that some newspaper chains have codes of ethics. “But, after 50 years as a journalist (reporter and columnist) I can say that I never saw a written code of ethics, was never asked to swear I would adhere to specific standards – and do not know of any authority with the power to enforce a code of ethics – if one could ever be agreed to by all newspaper publishers,” he said.^{xii}

It may not be a code of ethics, but the Canadian Newspaper Association (CNA) does have a statement of principles first adopted by its predecessor, the Canadian Daily Newspaper Association (CDNA) in 1977 and revised in 1995, that commits it to operate in the public interest.^{xiii} It includes statements about Freedom of the Press, Independence, Accuracy and Fairness, and Respect.

John Miller, a former *Toronto Star* deputy managing editor and now a Ryerson Polytechnic University journalism professor, was a member of the CDNA editorial division committee in the 1990s and he recalls its lawyers wanted to drop the initial statement of principles. One of the problems, he wrote, is that “...if you write down your principles, someone might expect you to live up to them. This appears to scare hell out of the lawyers who have to defend the conduct of newspapers in court.”^{xiv} In the end, a revised 1995 statement of principles was drafted and sent to executives at 84 newspapers for comment. It was received with massive indifference: only three publishers and two managing editors replied.^{xv}

What Miller is most proud of is the Freedom of the Press clause and the Community Responsibility clause which he drafted.^{xvi} Miller says there are two major problems with the CDNA’s statement of principles. The first is that there is no mechanism to enforce the principles, as the primary role of the CNA is to represent the needs of its members and the public in the areas of public policy, marketing and member services. The second problem is that seven years after they were agreed to: “I guarantee that most journalists in Canada’s newsrooms have never heard of it.”^{xvii}

At the individual newspaper level, this study could determine that only one operates according to a set of highly-publicized principles: *The Toronto Star*’s Atkinson principles, named after former owner Joseph E. Atkinson who developed them prior to the First World War to influence the behavior of its owners, managers and editors.^{xviii} Small “l” liberal in their intent, they embrace “support for workers, public ownership, town planning, sturdy Canadianism, the right to economic security and the free flow of information.”^{xix} “Any newspaper can be expected to express its own values in many

ways. You expect the *National Post* to consider news stories about the national debt and the need for lower taxes. You expect lots of stories about that on the front page. In the *Star*, you would see our issues as homeless and poverty, all kinds of social issues. The point is that if you have these values reflected in the news values, you have an obligation to project the other side. It's important that the *Star* continues its principles and policies which do involve fairness," said Don Sellar, Ombudsman for *The Toronto Star*.^{xx}

More typical of the policy and procedure manuals found in many newsrooms is *The Ottawa Citizen's* Ethics and Policies document, which begins with a mission statement saying the newspaper is loyal to the time-tested ideals of fairness, truth, equality and diversity of opinion. Over the course of 19 pages, it spells out its news gathering policies, news presentation, conduct on and off the job, corporate ethics and legal issues. It sets guidelines for honorable behavior which values honesty, diversity and completeness in the news coverage in which it has an interest.

As for its journalists' ethical behavior on the job, it recognizes that is largely a matter of individual conscience, because there are no hard-and-fast rules to cover every circumstance. Generally it deals with accepting freebies and hospitality, gifts, plagiarism, sexual harassment and the like. It suggests the best rule of thumb for avoiding situations that might be professionally compromising is: "When in doubt, don't. Or consult a supervisor."^{xxi} As for declining assignments, it says: "Journalists may occasionally be asked to cover an assignment or to edit material that conflicts with strongly held personal views. In such instances, journalists are expected to put aside personal beliefs and perform their duties in a professional manner."^{xxii} As a result, supervisors are to be looked to for guidance, but when asked to do something by their superiors that might compromise the journalists' personal views, they are expected to put them aside and perform as employees in a professional manner. Even in a document setting out standards of ethical behavior, that leaves the door fairly wide open for a journalist to be required to compromise his or her ethical values for the sake of the employer.

In their text on Canadian journalism, Cumming and McKercher note that journalism ethics are complicated by the commercial nature of the Canadian news media and, that public interest is often at odds with the need to make profits or to sell advertising.^{xxiii}

Francois Demers examined the issue of journalism ethics from the rise of the "good employee model," which he says has over taken the idealized moral independence of journalists in Quebec that separated them from the commercial interests of the news media since the 1950s. Journalists, Demers writes, are not professionals in the same legal sense as medicine, law and engineering.^{xxiv} They are, in fact, bound to a "kind of moral loyalty to the enterprise that hires them" and "good quality work must be exchanged for the salary obtained."^{xxv} Another aspect of their status as employees is that they must also not "intentionally hinder the operation of the enterprise, a duty which is not unique to media employees but applies to all workers in any field."^{xxvi}

The definition of ethics Demers uses indicated that ethics “is on one hand an instrument to guide actions and on the other a set of choices made according to normative distinctions between good and evil.”^{xxvii} As such, the subject of journalism ethics has become a virtual battlefield, because individual journalists must take sides for an ideal society.^{xxviii} In the course of building his case for a “good employee model,” Demers traced the evolution of journalistic ethical models from the progressive-libertarian normative model that evolved out of the 18th and 19th centuries. Under that model, freedom of the press essentially extends to both publishers and journalists. The truth they convey is not a precise reality that exists independently of the media, but rather a “faithful rendition of the columnists, critics or editorials. The ethics of freedom of speech boils down to an ethics of honesty. Journalists fight openly for their point of view and in doing so, behave in a socially responsible manner.”^{xxix} This is the marketplace of ideas where readers decide the truth as a result of being offered a wealth of competing debate and honestly-held opinion.

A more recent ethical model Demers examines is the information press, in which commercial interests require the media to circulate information consumers will buy and news became a commodity. The emphasis is on reporting rather than editorializing. Society is “excavated” for material that will interest consumers and the reporter’s ethic is one of objectivity, neutrality pursued in search for “truth in the accurate accounts of events.”^{xxx} A third ethical model that evolved in the United States after the Second World War is the social responsibility model. Demers argued the growing concentration of news media put an end to the marketplace of ideas with the result the social responsibility ethic required journalists to be “objective” and to circulate news without distortion in order to meet the requirements of public service. Over time the three models became blended into an idealized mix of public service activity. Journalists became the “guardians of the right to information.”^{xxxi} This freedom-of-speech ethic “will urge journalists to demand their own freedom of speech at the risk of ‘displeasing’ their employers.”^{xxxii} All three suggest “that journalist should not submit entirely to the commercial interests of the media.”^{xxxiii}

Lastly, Demers traced the “good employee” model to Japanese industrial relations in which the enlightened paternalism of the Japanese corporation rewarded total employee devotion with lifetime jobs.^{xxxiv} The model “subordinates the individual’s ethical framework to the interests of the company itself.”^{xxxv} Correspondingly, in journalism, when “public interest” became “what interests the public,” marketing departments and business managers took control of the information published. As a result, “the new environment has also elevated the ‘good employee model’ to prominence which defines journalism as nothing more than a job without any moral responsibility beyond producing technically competent work.”^{xxxvi} The result rendered meaningless the difference between the professional ethics of individual journalists and the social responsibility of the corporate institution.^{xxxvii} Demers concluded that only when journalists remain highly critical of the social performance of the product they are paid to produce will there be any counterbalance to the economic weight of the media corporations.^{xxxviii}

In Peterson's and Wilkins' examination of media ethics, they suggest an examination of loyalties can illustrate journalists' ethical dilemmas. A clear distinction is made between someone who identifies herself as a journalist and someone who identifies herself as someone who works for such and such newspaper. "...the first is a journalist who recognizes her responsibility as a professional while the latter merely acknowledges her loyalty to a paycheck."^{xxxix} Journalists, they write, have two central responsibilities: they have a "greater responsibility to tell the truth than most professions" and they "seem to carry a somewhat greater obligation to foster political activity than the average person."^{xi} They say there are some loyalties that should only be abandoned reluctantly: loyalty to humanity and loyalty to the truth. "Virtually no situation in media ethics calls for inhumane treatment or withholding the truth."^{xli}

With the foregoing in mind, this study turns to the situation at the *Calgary Herald* in the late 1990s as a case study in journalism ethics.

ⁱ "She was a spectacular dame" *The Globe and Mail*. July 28, 2001. p. F9.

ⁱⁱ Canada. *Royal Commission on Newspapers* (Ottawa: Supply and Services Canada, 1981) p. 230.

ⁱⁱⁱ Adam, Stuart G. "Journalism knowledge and journalism practice: the problems of curriculum and research in university schools of journalism." *The Canadian Journal of Communication*. 14:2 May, 1989. p. 73.

^{iv} *Ibid.* p. 74.

^v *Ibid.* p. 74.

^{vi} Shaw, David "Crossing the Line." *latimes.com* [Cited December 20, 1999] www.latimes.com/news/reports/line/

^{vii} *Ibid.*

^{viii} *Ibid.*

^{ix} Fletcher, Frederick J. Canada. "The Newspaper and Public Affairs." *Royal Commission on Newspapers*. Vol. 7. (Ottawa: Supply and Services Canada, 1981) pp. 42-43.

^x Kaiser, Robert G. "The storied Mrs. Graham." *washingtonpost.com* [Cited July 18, 2001] www.washingtonpost.com/wp-dyn/articles/A10801-2001Jul17.html

^{xi} Hume, Jim. "Paper, ink and morals." *Times Colonist*. December 16, 2001. p. M2.

^{xii} E-mail to Bergen from Jim Hume.

^{xiii} See www.can-acj.ca on the Internet

^{xiv} Miller, John. *Yesterday's News: Why Canada's Daily Newspapers are Failing Us* (Halifax: Fernwood Publishing, 1998) p. 116

^{xv} *Ibid.* pp. 121-122.

^{xvi} The CDNA Statement of Principles Community Responsibility clause reads in part: "The Newspaper has responsibilities to its readers, its shareholders and its advertisers. But the operation of a newspaper is a public trust and its overriding responsibility is to the society it serves." It is also worthy to note that the Independence clause states that: "The newspaper's primary obligation is fidelity to the public good."

^{xvii} Miller, John [Interview] Interviewed by Bob Bergen. February 19, 2002. Interview was conducted at Ryerson Polytechnic Institute in Toronto.

^{xviii} Reguly, Eric. "Star Power" *Report on Business Magazine*. November, 2001. p. 49.

^{xix} *Ibid.* p. 53.

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- ^{xx} Sellar, Don. [telephone interview] Interviewed by Bob Bergen. February 8, 2002.
- ^{xxi} “Ethics and Policies.” *The Citizen*. P. 9.
- ^{xxii} *Ibid.* p. 10.
- ^{xxiii} Cumming, Carmen and McKercher, Catherine. *The Canadian Reporter: News Writing and Reporting* (Toronto: Harcourt Brace & Company, Canada, 1994) p. 370
- ^{xxiv} Demers, Francois. “Journalistic Ethics: the rise of the ‘Good Employee Model’: A threat for professionalism?” *The Canadian Journal of Communication* 14:2 May 1989. p. 19
- ^{xxv} *Ibid.*
- ^{xxvi} *Ibid.*
- ^{xxvii} *Ibid.* p. 20.
- ^{xxviii} *Ibid.*
- ^{xxix} *Ibid.* p. 21.
- ^{xxx} *Ibid.* p. 22.
- ^{xxxi} *Ibid.* pp. 21-22.
- ^{xxxii} *Ibid.* p. 23.
- ^{xxxiii} *Ibid.*
- ^{xxxiv} *Ibid.* p. 24.
- ^{xxxv} *Ibid.*
- ^{xxxvi} *Ibid.* p. 25.
- ^{xxxvii} *Ibid.*
- ^{xxxviii} *Ibid.* p. 26.
- ^{xxxix} Patterson, Philip and Wilkins, Lee. *Media Ethics: Issues and cases* (Dubuque: WCB Brown and Benchmark, 1991) p. 85.
- ^{xl} *Ibid.* p. 85.
- ^{xli} *Ibid.* p. 87.