

# THE STORY OF **ETHICS**

*How the media got moral, or not*

## **TRUTH & LYING**

In which we learn that there are two kinds of lies: those with short legs, and those with long noses.





# Who needs truth?



It used to be, everyone was entitled to their own opinion, but not their own facts. But that's not the case anymore. Facts matter not at all. Perception is everything.

—Stephen Colbert



Well, Kant would say that truth is fundamental to a society's functioning.

But, why should truth be a fundamental principle of a society?

**I.** A lack of integrity in communications undermines the autonomy of the individual.

- The notion of individual autonomy is based, in part, on freedom of choice.
- We depend on truthful and accurate information in order to make informed judgments.

TRUTH IS  
FUNDAMENTAL  
TO A SOCIETY'S  
FUNCTIONING.



Immanuel Kant

**2.** A commitment to truth demonstrates a respect for persons as ends rather than tools to be manipulated.

- Deception usually places self-interest over the interests of others.
- Those deceived are put at a “competitive disadvantage.”

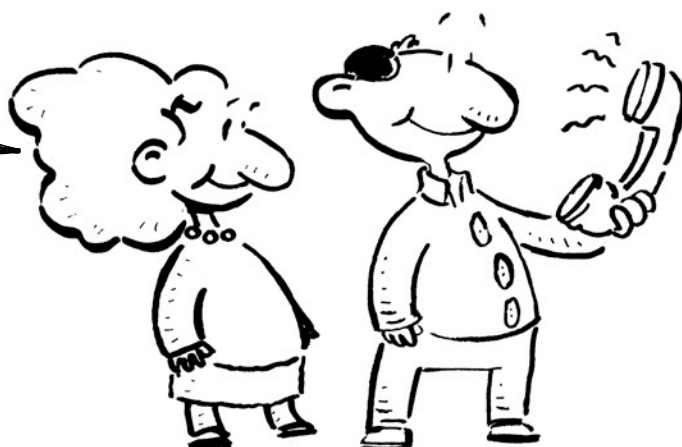
HEY! YOU GUYS SAID YOU HAD NEVER PLAYED MARBLES BEFORE!



In fact, philosopher Sissela Bok defines lying as “coercion”

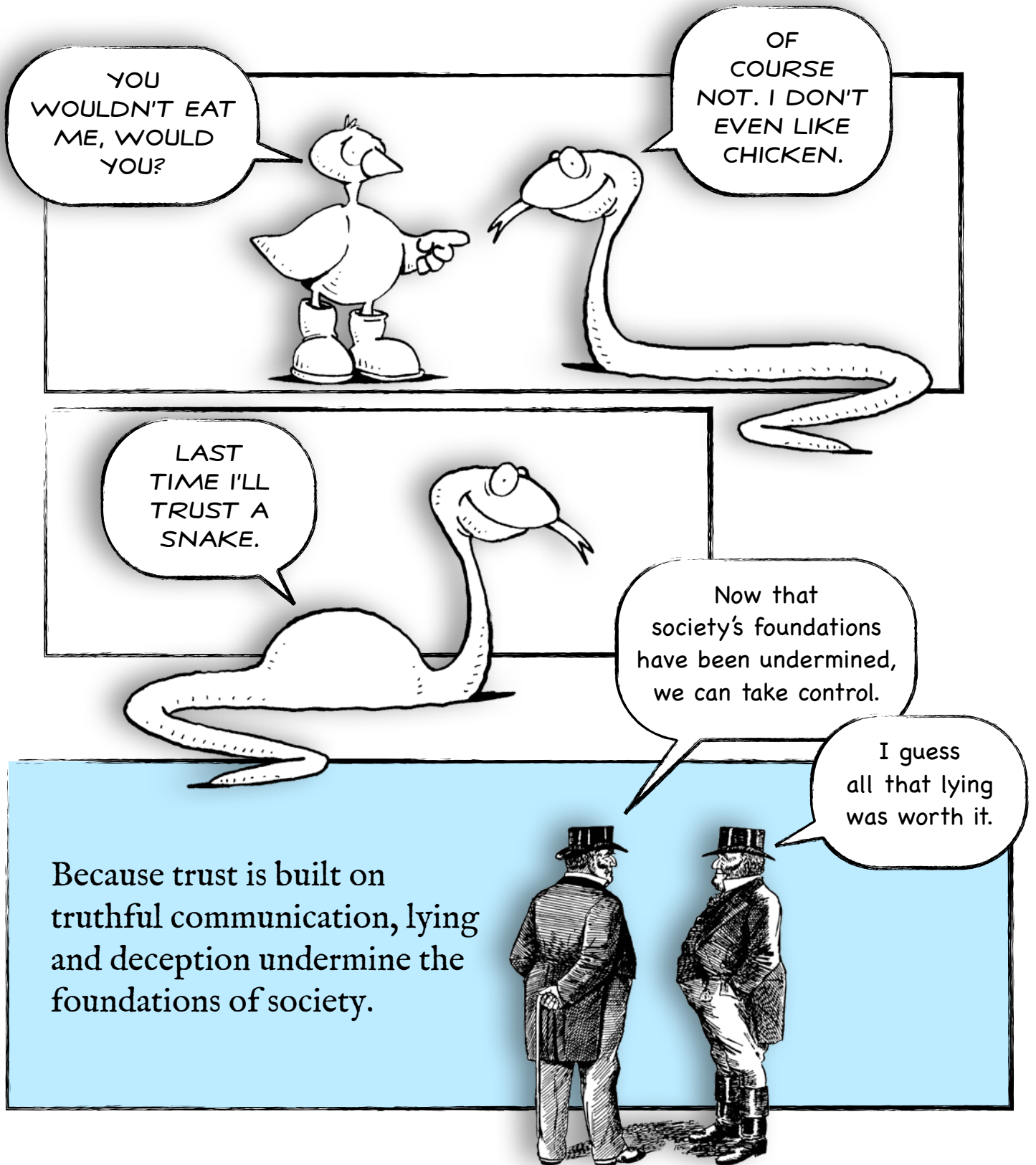
- Telling someone a lie forces them to act in a way different from how they would have acted had you told them the truth.
- Thus, you are coercing them to act in this way.

JUST TELL YOUR WIFE YOU'RE ALONE. SHE'LL NEVER KNOW.



### 3. The belief in truthfulness of communications builds trust between individuals, and between individuals and society's institutions.

- A record of deception or lying endangers future relationships.
- Credibility always suffers in the long term.





4. Truth is essential to the democratic process, because democracy depends on an informed citizenry.

- In a complex democratic society, the media are the primary conduits of information flow.
- To the extent that they fail in this obligation, they deprive us of the information necessary for rational decision making.



There are three classical constructions that are used to deal with lying.

1. "Do not lie" has the special status of a moral law, which means that it is always wrong to lie, no matter what the circumstances.

- In Kant's words, it is a "perfect duty," never to be excused or overridden.
- On this construction, the very nature of lying entails harm, because it undermines our confidence in the truthfulness of speech itself.
- In other words, "What if everyone did that?"
- Of course, the question arises as to whether it is ever permissible to lie.



Kant again

**2.** Utilitarians insist that lying is wrong because a lie does, in fact, cause more harm than good. However, there is no absolute prohibition.

- Cases of lying that cause no harm (white lies) are not necessarily wrong.
- Can we then assume that lying that causes no apparent harm is okay?

I MIGHT TELL  
A LIE, IF IT  
PROMOTED THE  
GREATER GOOD.



John Stuart Mill



Nicolo Machiavelli

Works  
for me.

**3.** Character: One's virtues are what counts, so honesty is a good character trait to have. A person of good character, then, simply does not lie.

- Once honesty becomes ingrained in one's character, it becomes second nature to tell the truth, thus not a constant battle between conscience and temptation.

AT LEAST BE  
CONSISTENT.



Aristotle

It's all about  
virtue, Nicky.

Queen Victoria



None of these approaches really come to grips with lying and why we shouldn't engage in it—nor do they explain the possible exceptions adequately.




I CAN'T SEEM TO COME TO GRIPS HERE...

SEEMS GRIPPING ENOUGH TO ME.

Grab his ears!

Lying is a social activity. It involves other people.

- Lying is wrong because it constitutes a breach of trust, which is not a principle but a very particular and personal relationship between people.
- What ultimately makes lies most objectionable is that they occur in a context in which one expects the truth, most obviously, in response to a direct inquiry.



I asked her the time, but she gave me the wrong one. Now I'm going to be late.

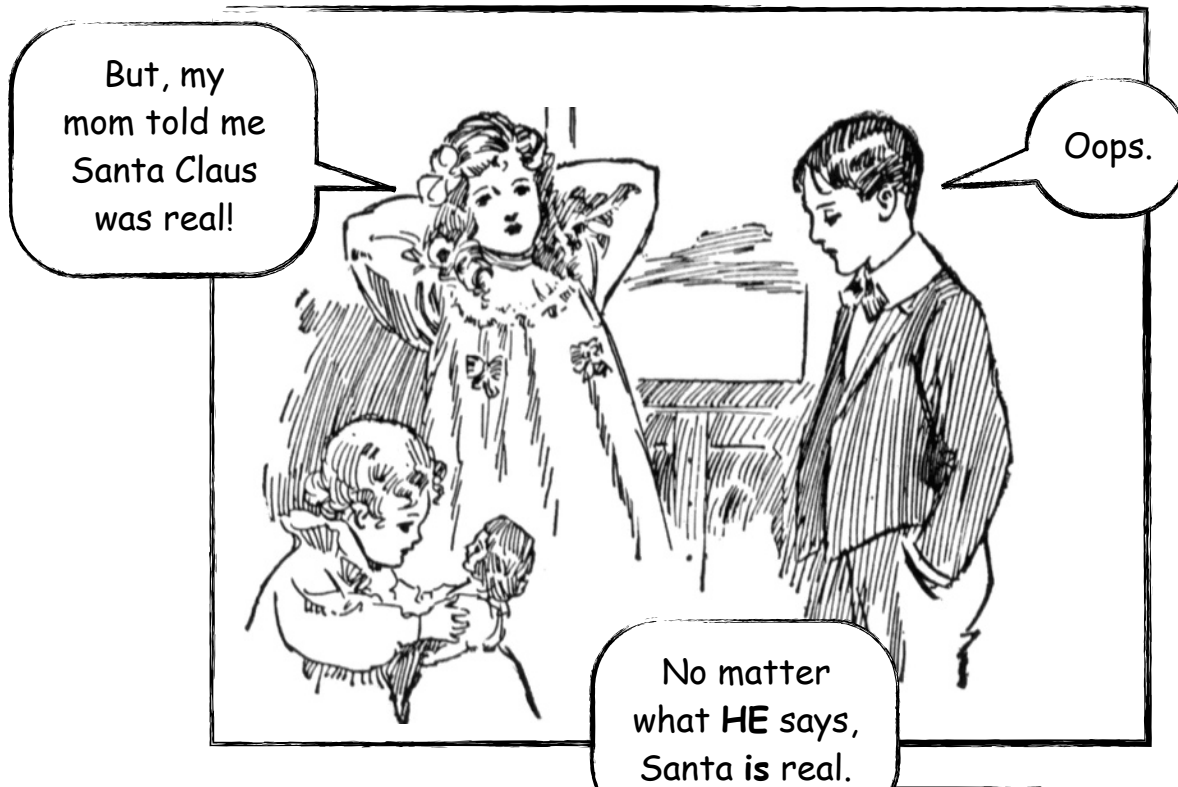


Sorry. I thought Wonderland was in the same time zone as England.

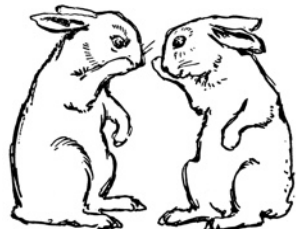


# Attempts to Define Lying

- “Uttering something that is false” is a good start on a definition.
- But, what about the problem of “sincerely spoken lies”?
- If you have yourself been misinformed and said something false, you have still told a lie.
- We believe many false things, so it’s practically impossible not to lie in this sense.



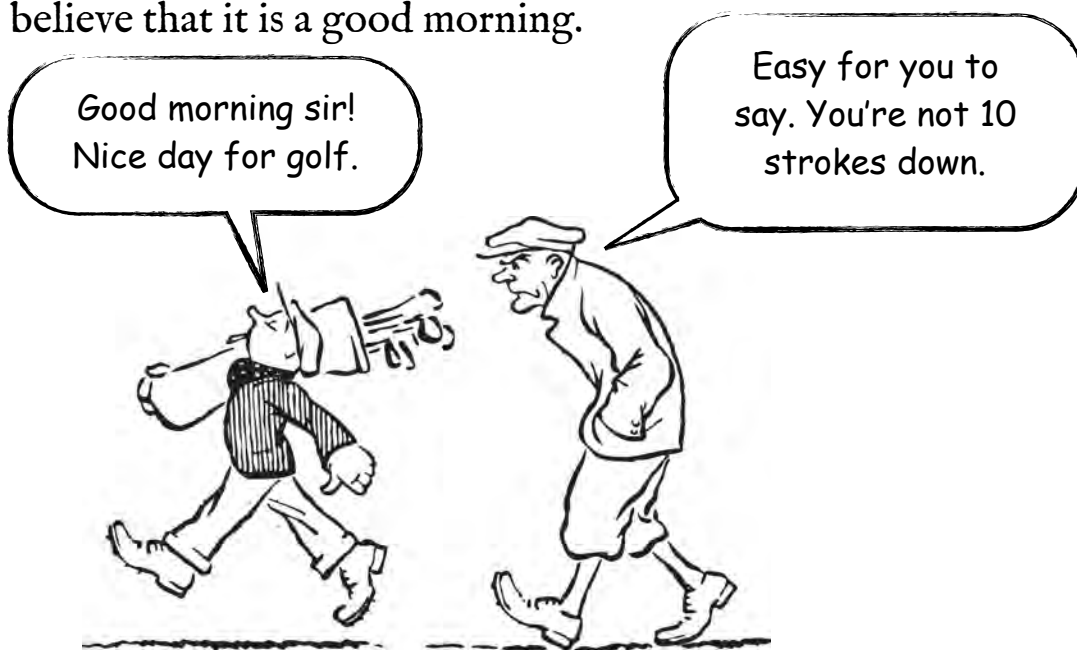
- Saying something the speaker **KNOWS** to be false is also a lie.





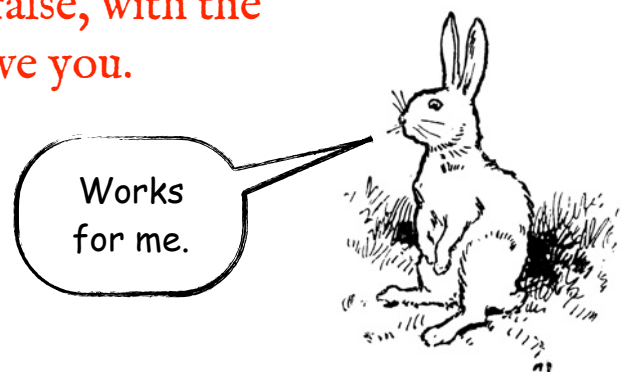
# The Problem of “Unasserted Lies”

- All these definitions still have problems. For example:
- Actors on TV or the stage lie routinely, but it appears that say doesn't count as lying.
- You do not take me to be lying when I say “Good morning” when the weather is terrible.
- Lying requires: **Asserting a claim to be true with the intention to lead the listeners to believe that claim.**
- Actors do not assert what they say to be true; they merely pretend to assert it to be true.
- When I say “Good morning,” I am not asserting it with the intention to lead you to believe that it is a good morning.



So, now we have a good definition of lying:

**Asserting something you know to be false, with the intention of leading someone to believe you.**



# Lying and Truth-telling

Don't confuse the obligation not to lie with the obligation to tell the truth.

- There is no general requirement to tell the truth, for in most situations you are not required to tell anything at all: you may remain silent if you like. In fact, we sometimes have the duty not to tell certain truths:
- the duty of confidentiality about national security info, or about privacy info,
- of doctors' about patients' conditions,
- or of lawyers or accountants' about client's conditions,
- of the judges and juries' about the cases,
- of employees' about their companies' certain trade secrets etc.

This does not deny that we may be required to report certain truths,

- such as someone's wrong deeds,
- or info about your income to the IRS.





# Do We Have the Duty Not to Deceive?

- Some people argue that the obligation not to lie is derived from a more general obligation of not deceiving someone.
- A person deceives someone when the person makes an intentional attempt to lead him or her to have a belief, which the person believes to be false.
- One can deceive someone with or without asserting something. (This is the difference from lying as we define.)
- For example: Some advertisements are deceptive in that they give deliberately selected data or picture their products under a favorable light, which will mislead most ordinary people to draw false conclusions about those products.



## Is It Always Wrong to Tell a Lie?

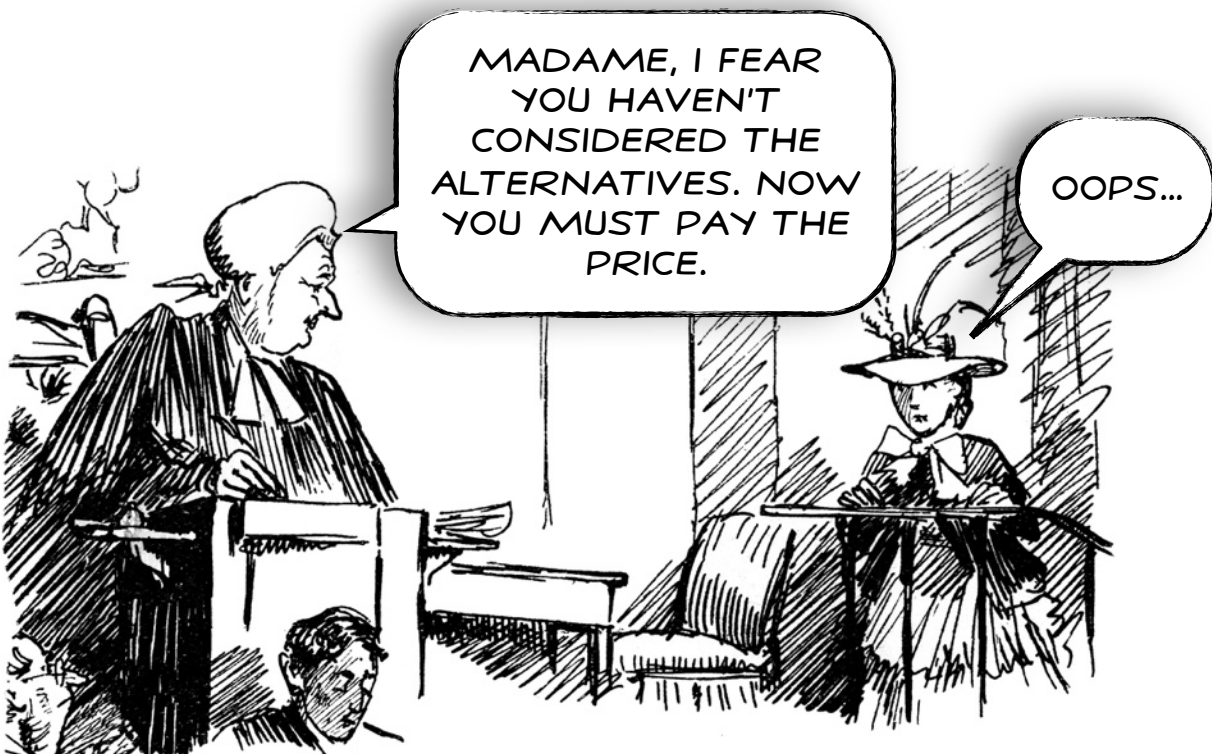
- Lying for your own or someone else's safety
- Lying as the only means for keeping confidentiality or a promise
- Lying to your enemies
- Lying to children (in order not to harm them -- paternalism)
- Lying when the audience doesn't expect honesty (actors)
- Lying about matters that are "none of your business" (privacy)
- "White lies" (i.e., lying to someone in order to throw a surprise party for her.)

# Philosopher Sissela Bok proposes the “Principle of Veracity”

- Not all lies are condemned;
- however, they must be proven to be a necessary last resort.

She suggests that before you lie, consider these questions:

- are there truthful alternatives to your lie?
- what is the context of the lie (for example, what relationship exists between you and your potential victim)?
- what good and bad will result from your lie?
- taking account of context, relationships, etc., what are the arguments for and against your lying?
- what, apart from the considerations that bear on this particular case, are the effects of your lie on the general practice of truth-telling itself?



Which leads us to...



# TRUTH AS A LEGAL CONCEPT

The law is the ultimate formalization of societal and cultural values and ideals.

The fact that we have enacted laws that deal with truth shows that, as a society, we value communication that is truthful and tend to restrict communication that potentially harms others.



Laws exist that clearly disallow certain types of speech, and all those who deal in public communication are bound by these laws.

For the most part, these laws protect others.




# Defamation

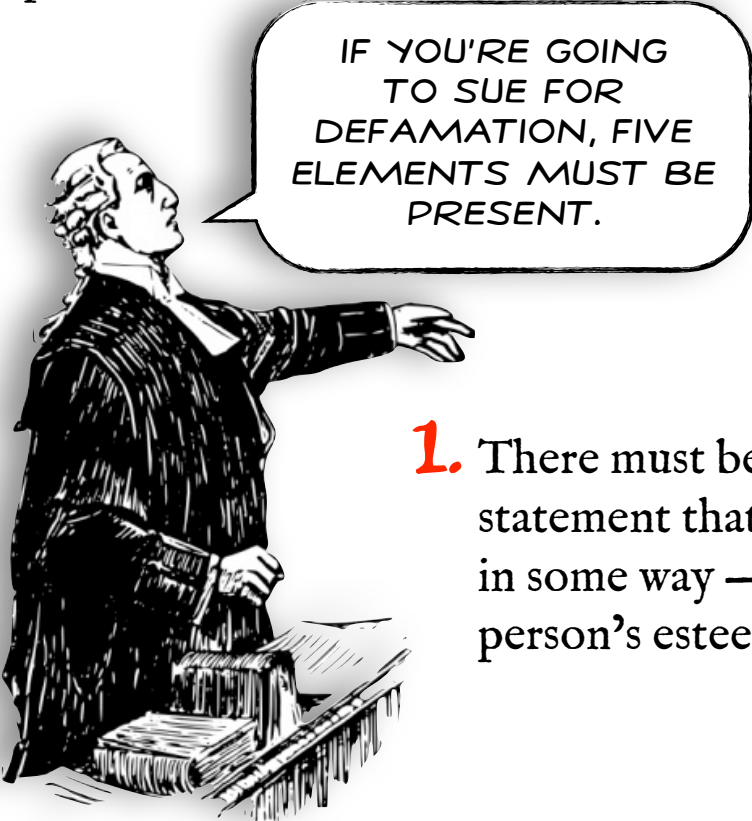
Defamation is any communication that holds a person up to contempt, hatred, ridicule, or scorn.

One problem in defending against accusations of defamation is that there are different rules for different people.

- It is generally easier for private individuals to prove defamation than it is for those in the public eye.
- Celebrities and politicians open themselves to a certain amount of publicity, and, therefore, criticism.
- While a private individual suing for libel must only prove negligence, a public figure must prove malice.



THAT'S PRETTY NASTY STUFF, JACK. TOO BAD YOU'RE A PUBLIC OFFICIAL.



IF YOU'RE GOING TO SUE FOR DEFAMATION, FIVE ELEMENTS MUST BE PRESENT.

- 1.** There must be communication of a statement that harms a person's reputation in some way — even if it only lowers that person's esteem in another's eyes.

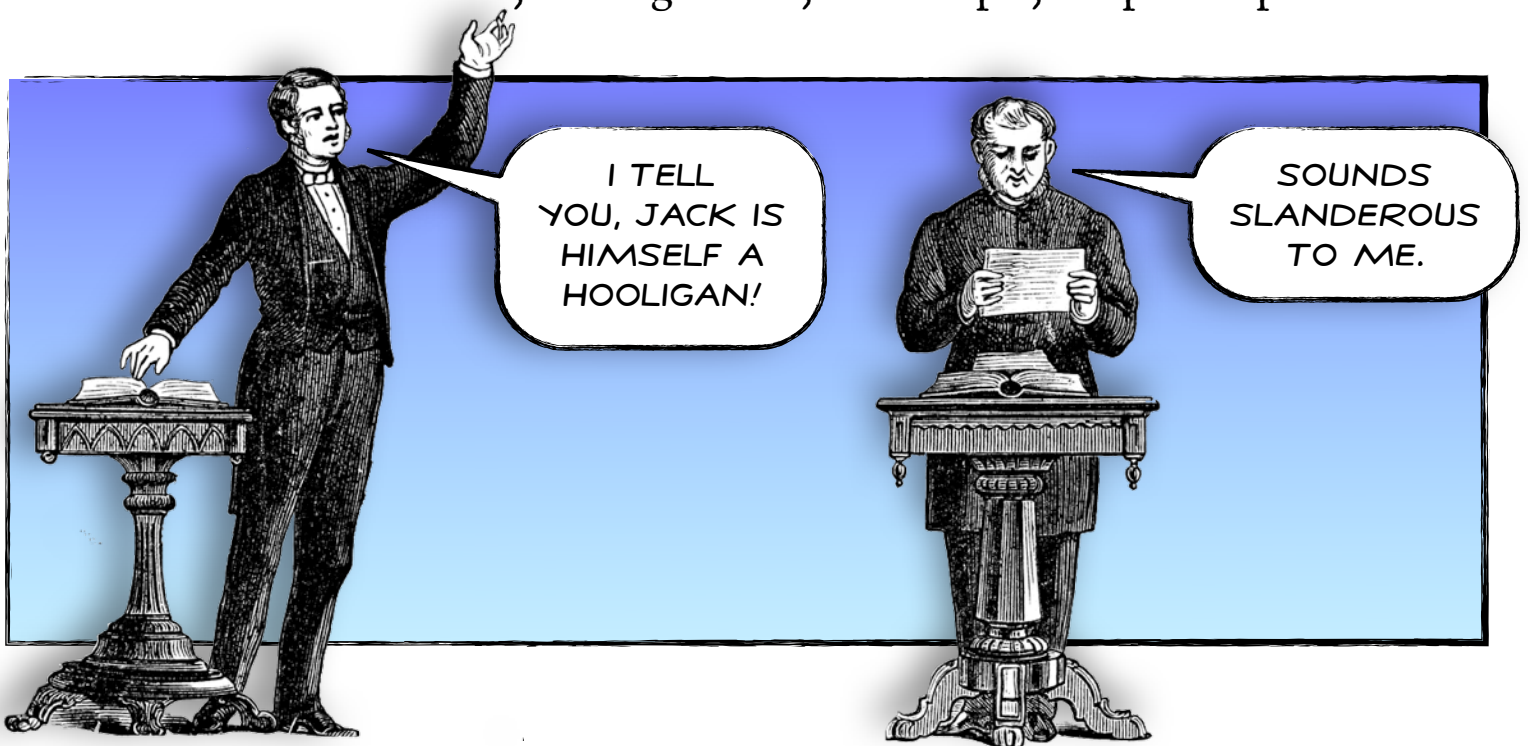


**2.** The communication must have been published or communicated to a third party.

Jack has been seen cavorting late at night in the company of unseemly hooligans.



- There is a difference between libel and slander.
- Libel is written defamation, though it also includes broadcast communication.
- Slander is oral defamation, and might arise, for example, in a public speech.



**3.** The person defamed must have been identified in the communication, either by name or by direct inference. This is the toughest to prove if the person's name hasn't been used directly.

4. The person defamed must be able to prove that the communication caused damage to his or her reputation.



I'VE LOST MY LIVELIHOOD. IS THAT DAMAGE ENOUGH?

NOT REALLY. NEGLIGENCE MUST ALSO BE SHOWN. IN OTHER WORDS, THE SOURCE OF THE COMMUNICATION MUST BE PROVED TO HAVE BEEN NEGLIGENT DURING RESEARCH OR WRITING.



This is Number 5.

- Negligence can be the fault of poor information gathering.
- Public figures must prove malice -- that is, the communication was made with knowing falsehood or reckless disregard for the truth.

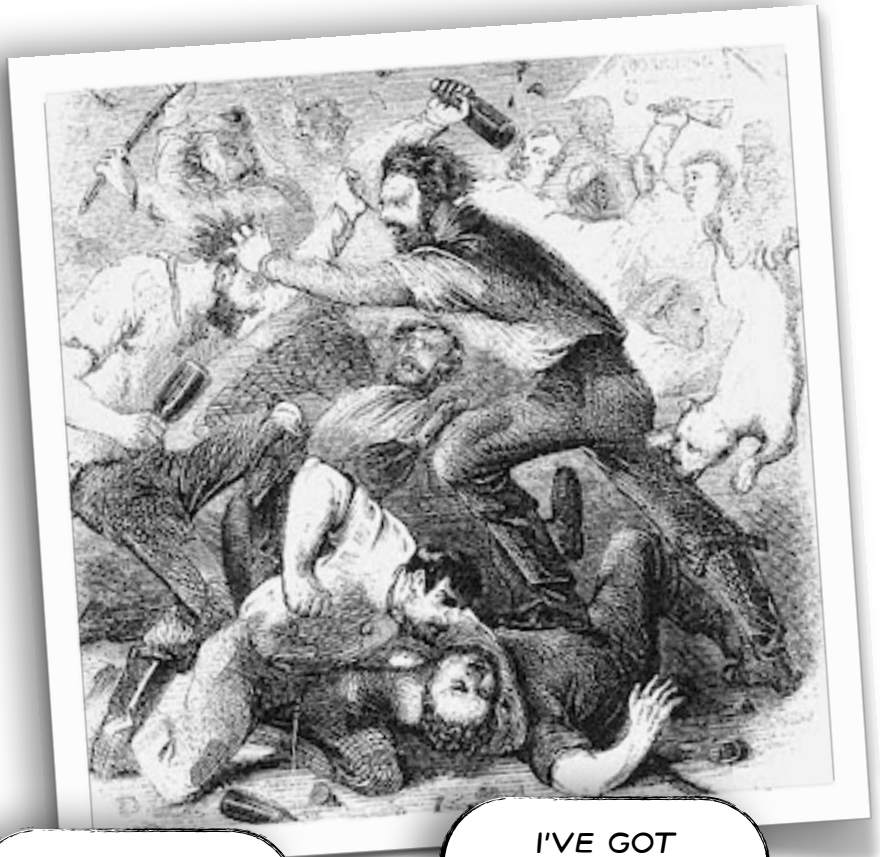


Our Research Department

# Defenses against defamation

**Truth** – The communication is the truth, regardless of whether the information harmed someone’s reputation or not.

A news photo of Jack and friends. He’s the one with the bottle.



**Privilege** – Privilege applies to statements made during public, official, or judicial proceedings.

For example, if something normally libelous is reported accurately on the basis of a public meeting, the reporter cannot be held responsible.

AS MAYOR OF THIS CITY, I TELL YOU, JACK IS A HOOLIGAN!

I'VE GOT TO GET BACK TO THE PAPER AND WRITE THIS UP!



This reporter can't be held liable for something the Mayor said in a public meeting.



## The third most common defense is **Fair Comment**.

This concept applies primarily to the right to criticize, as in theater or book critiques, and must be restricted to the public interest aspects of that which is under discussion.

However, it also can be construed to apply to such communications as comparative advertising.

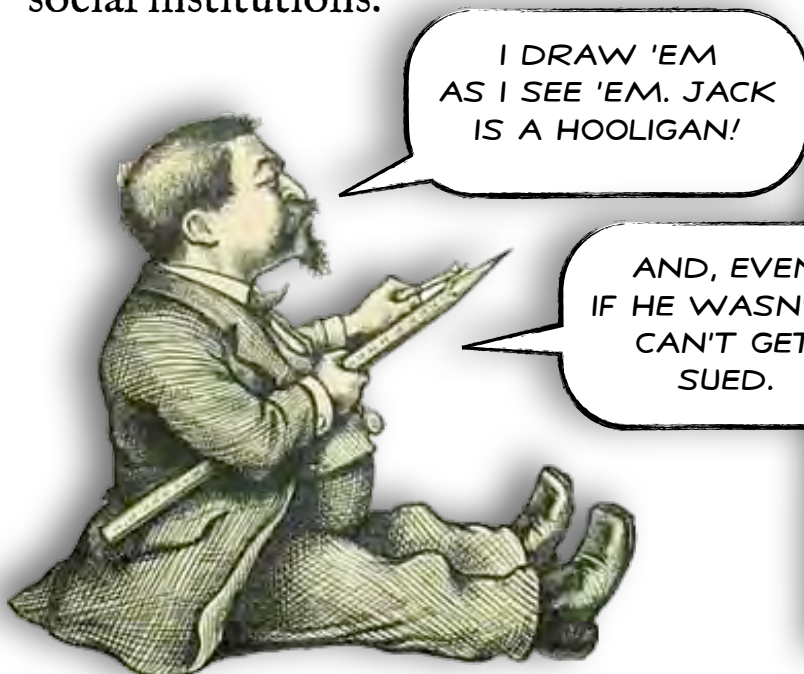
## **Satire** is also protected

Editorial cartooning, for instance, is protected under the First Amendment as an example of the importance of criticizing the government, and other social institutions.

SINCE I WROTE MOST OF THESE PLAYS MYSELF. THE REST OF THEM SUCK. AND IF WILL SHAKESPEARE DOESN'T LIKE IT, HE MAY SUE ME.



*Christopher Marlowe reviews Shakespeare*



AND, EVEN IF HE WASN'T, I CAN'T GET SUED.



# Now, let's turn to **Truth in Journalism.**

Three concepts underlie the notion of truth in reporting

I WAS  
WONDERING  
WHEN WE'D  
GET TO THAT.



## **1.** The reporting of a story must be accurate.

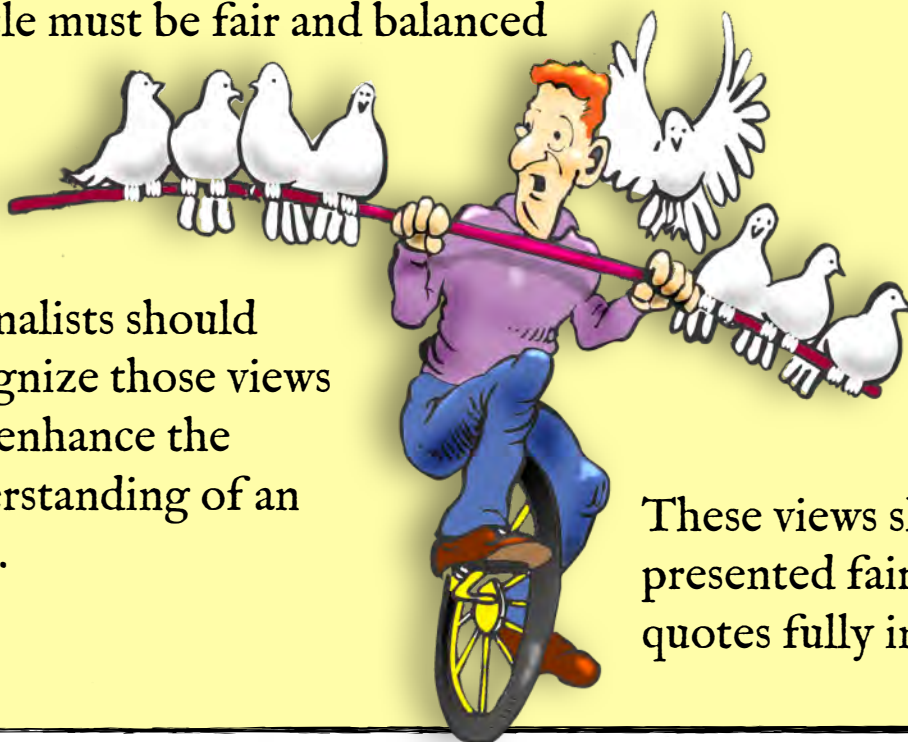
- Facts should be verified & based on solid evidence
- Quotes should be accurate and unaltered
- Sources should be attributed

## **2.** A truthful story should promote understanding.

- Given time and space constraints, the goal should be to provide an account that is essentially complete.
- Enough relevant information should be included as to preclude misunderstanding of either the facts or the context of the facts.

## **3.** An article must be fair and balanced

Journalists should recognize those views that enhance the understanding of an issue.



These views should be presented fairly with quotes fully in context.



# What about Journalistic Deception?

- Remember that the intention to mislead is associated with both lying and deception.
- Remember also that deception and lying usually have similar consequences. i.e., The receiver will get false information and act accordingly.

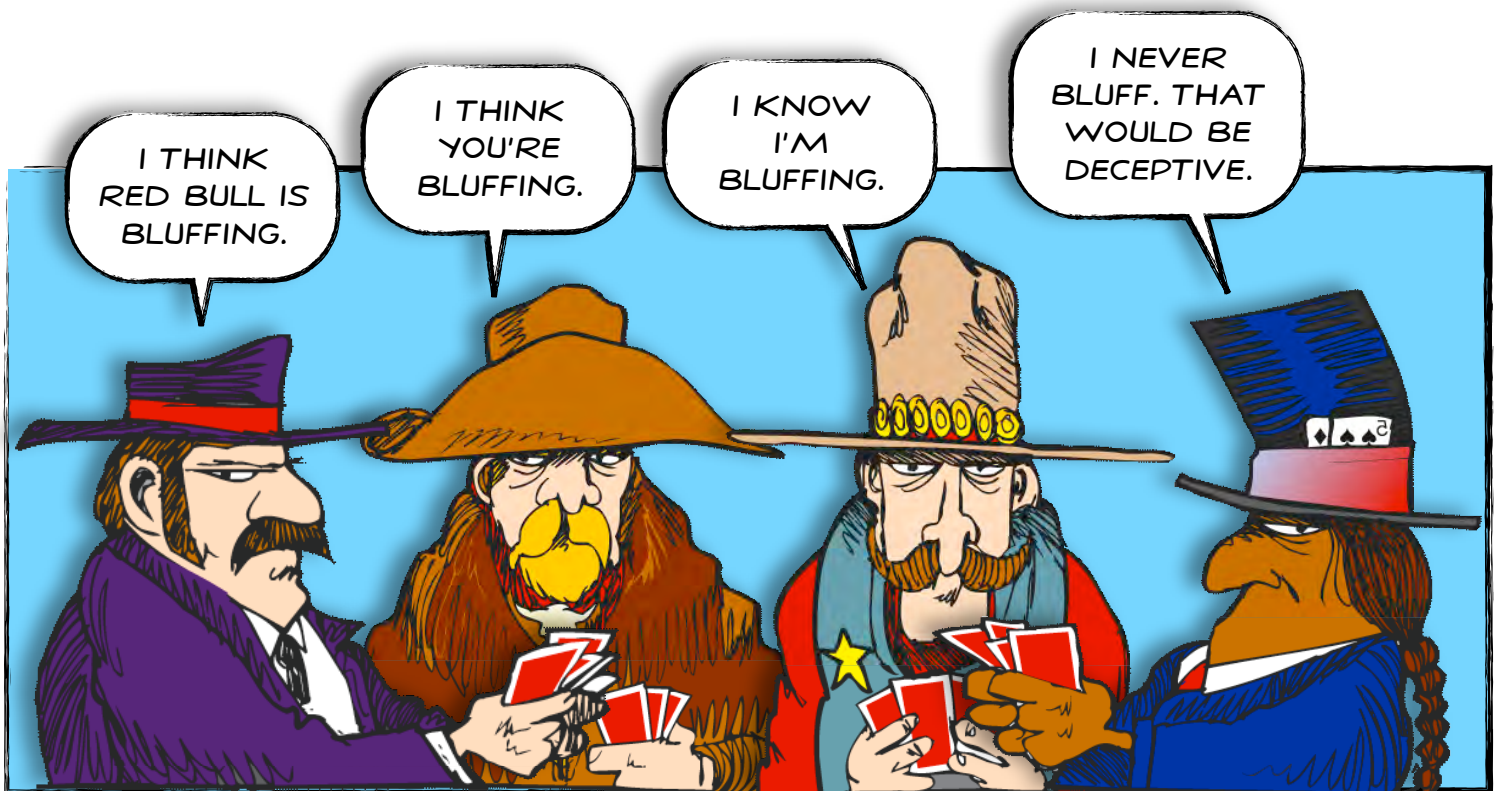


So, was Sissela Bok right? When we deceive, are we coercing others to act in a way they wouldn't have acted if they had known the truth?



Potentially deceptive news gathering techniques, should be employed only after a full and deliberate discussion in which the decision maker(s):

- are convinced that the information sought is of compelling public importance,
- are doing it for humanitarian purposes devoid of self-interest,
- have considered all alternatives to the use of deception,
- are convinced that the benefit to be derived from the deceptive practice outweighs the possible harm to the various parties involved, and
- are willing to disclose to their audience the nature of the deception and their reasons for using such tactics.



Ultimately, of course...

*When in doubt, tell the truth.*

