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Persuasion and Ethics in the Media Age

Learning Objectives

After reading this chapter, you should be able to:

1. Understand the importance of studying ethics and persuasion.
2. Identify specific ethical challenges of the media age.
3. Describe various approaches to ethical decision making.
4. Assess the openness of a culture to persuasion by using the theory of universal pragmatics.
5. Recognize the importance of codes of ethics in several persuasive contexts.

When Internet users download the Alexa toolbar software program, they can receive helpful advice while shopping online. Alexa offers price comparisons and more information about the product the user is considering. At the same time, the software records information about its users and provides information to the company that developed the software, Alexa, a subsidiary of Amazon.com. Alexa collects its user's address and information about purchases the user has made or is considering. Alexa also collects information about you when you register for its software. It uses this information to understand how consumers shop online. Alexa contends that it does not link personal information about you—your name, for instance—to your Web surfing habits—which sites you visit and what products you purchase. Please read Alexa's privacy policy, which can be accessed from the link on this book's Web page. Consumer advocates fear that although Alexa may not correlate this information now, the

ethics

the study of which actions individuals and society consider desirable and undesirable, as well as of the rationale for their judgments when they are faced with equally compelling choices

company has the capability to do so and that its privacy policy may change. If you use the Internet and products like the Alexa toolbar, you place your faith in persuaders to protect personal information about you. These companies have an ethical obligation to safeguard your privacy.

Privacy is just one of many ethical issues that confront contemporary persuaders and audience members. Since humans first began to persuade each other, they have been concerned with doing so ethically. **Ethics** has been described as “the study of right or good conduct as it affects the individual (character) and society” (Limburg, 1994, p. 11). Richard L. Johannesen (1996) explained that ethical judgments focus on “degrees of rightness and wrongness, virtue and vice, and obligation of human behavior” (p. 1). Generally, the standards we may use to make ethical judgments include “honesty, promise-keeping, truthfulness, fairness, and humanness” (1996, p. 1). Ethics is concerned with whether actions are desirable and good for the individual and the community at large. Ethics is the study of how we should act when faced with equally compelling choices (Patterson & Wilkins, 1998). At the basis of ethics is a value system that helps members of a culture to understand which actions the culture believes to be good and which it believes to be wrong. Rationality is an important aspect of ethics. We must be able to explain ethical decisions to others. That is, reasoning underlies the ethical choices that we make. In our study of ethics in this chapter, we make explicit some of the fundamental values that help us to make ethical decisions about persuasive communication. We also examine how individual persuaders and our culture arrive at ethical judgments.

In this chapter, we explore the relationship between ethics and persuasion. We also identify some of the unique ethical challenges the media age poses to persuaders. Our discussion also focuses on how persuaders and audience members make ethical judgments in light of these challenges. We make ethical judgments by using philosophical arguments, public debate, and codes of ethics. At the end of the chapter, we highlight the specific ethical responsibilities of audience members. In short, this chapter discusses the appropriateness of the strategies used by persuaders to form relationships with audience members.

Ethics and Persuasion

Before we examine the ethics of persuasion, let’s recall our definition of persuasion from Chapter 1. There, we defined persuasion as *the coproduction of meaning that results when an individual or a group of individuals uses language strategies and/or visual images to make audiences identify with that individual or group*. Recall from our discussion of this definition that choice is necessary for a persuader and an audience to identify with each other. Persuasion also makes use of a wide range of behaviors, such as reasoning and feeling.

Richard Johannesen (1996) argues that it is important to discuss ethics and persuasion together for three reasons. First, when we engage in persuasion, we have an impact on others. The persuader attempts to get audience members to believe something new or engage in some kind of behavior. Thus, the persuader influences what audience members do or think. Audience mem-

bers put their trust in what the persuader says. We like to think that those who persuade us are being truthful when they do so. Thus trust, which is an ethical value, is important in the persuasion process.

Because persuasion requires the conscious choice of ends and means, it involves ethics (Johannesen, 1996). The idea of choice requires that the persuasive process be conducted ethically. Communication that denies choice to audience members or to the persuader, then, becomes something else, such as coercion or violence. **Coercion** is the use of force to compel an audience member to do what a persuader desires. Persuaders who use coercion deny audience members the opportunity to freely identify with them. Fundamentally, coercion denies audience members the opportunity to exercise such basic human actions as reasoning, feeling, and thinking. **Violence** is the use of physical action to force compliance with a persuader. Again, violence removes thinking, feeling, and reasoning from the interaction and denies audience members the opportunity to utilize basic human characteristics. If we consider ethics to be grounded in the concept of choice, then persuasion is the best way to achieve the goal of identification.

Finally, persuasion and ethics are linked because persuasion involves behavior that can be judged (Johannesen, 1996). The inclusion of language strategies and visual images in our definition of persuasion raises the issue of judgment. Persuasion is also a social process that involves more than one individual. Thus, the potential is present for one individual to judge the words and actions of another individual.

As the persuasion industry becomes more sophisticated, the lines between persuasion, coercion, and violence are becoming increasingly blurred. In this chapter—and throughout the book—we look at where the ethical lines are being drawn and how they have become blurred in the media age. The value guiding our discussion in this chapter and throughout the book is *choice*: Persuasive communication that allows individuals to consciously choose their beliefs and behaviors is ethical, whereas that which denies choice is unethical. Consider the discussion in *Ethical Insights: Ethical Responsibilities of Persuaders and Audience Members* as you think more about persuasion and ethics.

We begin this chapter by exploring several ethical challenges for persuaders and audiences in the media age. Each of these challenges in some way impairs the audience member's ability to choose a course of action or a belief.

Ethical Challenges of the Media Age

The media age presents unique challenges to persuaders in the ethical arena. New technology, coupled with enhanced methods of reaching audiences, has created situations in which persuaders must closely examine their actions to determine if they are communicating ethically. In this section, we outline several specific challenges to persuaders and audience members in the media age. The concerns that we discuss here cut across a variety of persuasive contexts. Later in this chapter, we focus on ethical concerns that relate to specific contexts, such as advertising.

coercion

the use of force to compel someone to do something

violence

the use of physical action to compel someone to do something

Who do you think plays a more significant role in ethical persuasion: the persuader or the audience member? Who is the more accountable?



ETHICAL INSIGHTS

Ethical Responsibilities of Persuaders and Audience Members

As you consider these two scenarios, think about the ethical implications involved.

Imagine that you are shopping for a new car. You know very little about how to buy a car or what features may be useful in a new car. Therefore, you go to a dealer to learn something about the new cars on the market. The sales representative shows you a top-of-the-line model and explains why the car's features will be useful for you. The leather seats, for instance, will make the car worth more when you resell it in a few years. Convinced that the dealer has identified a good car for you, you purchase the automobile.

It could be argued that the dealer acted unethically by selling you a car that may include features that you do not need. The National Communication Association Credo for Ethical Communication (NCA 1999) states: "We promote communication climates of caring and mutual understanding that respect the unique needs and characteristics of individual communicators." In this instance the dealer may not have created a climate of "caring and mutual understanding." Likewise, failing to research available cars and to articulate what features you need may be an ethical lapse on your part.

Or imagine that today is election day. You feel that you should vote. You don't know much about the candidates, although you have seen television commercials and read newspapers articles about those running

for office. One candidate, in particular, has used a lot of advertising to sell his or her image. The commercials haven't discussed the candidate's policy proposals at any length. Because of the heavy advertising, you feel that this person should be elected. You go to the polls to vote for the person, despite knowing very little about where the candidate stands on the issues.

We could argue that it was unethical for this politician to inundate voters with image-based advertising without discussing his or her stand on policies. Likewise, we could argue that voters have a responsibility to investigate all of the candidates before they vote. The NCA Credo for Ethical Communication discusses the responsibilities of audience members for their communication. By not investigating the candidate fully, you may have failed your ethical duty.

As we will see in this chapter, ethical decisions are seldom without question. As you think about these scenarios, answer these questions:

1. Do you think the sales representative acted ethically in this situation? Or did the sales representative take advantage of your lack of knowledge about cars?
2. Was it ethical for this candidate to overwhelm you with advertising? What ethical responsibilities do you think voters have?

DECEPTION

For us to make sound decisions, it is important that the information on which we base our decisions be sound. Thus, persuaders who attempt to deceive their audiences undermine the persuasive process because they deny their audiences the information they need to make a choice. In the media age, persuaders can potentially deceive audiences as never before. By using digital imaging techniques—using computers to edit and print photographic images—or by taking advantage of an audience member's "information overload," persuaders often obscure the true meaning of their claims. It should be stated that this is sometimes not done intentionally, but the effect is that audience members are often confused by a persuader's message. Let's study some examples to understand a few of the ways in which persuaders mislead audiences in the media age. We discuss digital image manipulation in a later section of this chapter.

Technology can make it difficult for audience members to fully comprehend a persuader's message. In 2000, Mazda was fined \$5.25 million by the

Federal Trade Commission (FTC) for misleading advertising about leasing of its cars. The information Mazda provided about leasing its cars was judged to be too small and shown on the television screen for too short a time for audience members to understand the leasing terms. The FTC also determined that sounds and images distracted viewers from the terms of the lease agreement. In the media age, it is important that persuaders not use technology to obscure important parts of their message.

Ethical implications also arise when persuaders seek to prove their arguments for audiences. When they use proof or language that is ethically suspect, persuaders do not provide audience members with the proper means by which to evaluate their message. Many weight-loss programs, for instance, use examples of individuals who lost weight by following the program. In recent years, the sandwich shop Subway used Jared S. Fogle as an example of someone who lost weight by eating Subway sandwiches. Fogle, who lost more than 200 pounds by eating Subway sandwiches, was shown to be an example of how others could lose weight by eating at Subway. As we'll discuss in a later chapter, proper use of examples requires that examples be representative and typical. Jared is not a typical example and although Subway noted in its advertising that other people may not experience the same results, their "Jared" campaign was clearly designed to promote the subs as a way for people to lose weight. Consequently, Subway's use of Jared is ethically questionable because the company relied on faulty reasoning that could potentially mislead consumers.

ACCESS

Persuasion can be a liberating experience for audience members. We form ideas of who we are through persuasion, and we come into contact with new ideas and ways of thinking. Mediated persuasion enables us to make political and personal decisions about matters that are important to us. Many of us may take mediated persuasion for granted. We are surrounded by televisions, radios, newspapers, and computers connected to the Internet. Yet, not all members of society have access to the media that bring us the important information on which we base our decisions. This unequal access to communication resources is often called the **digital divide**. When not all have access to media resources, a disparity develops between those who have technology and those who do not. Those who have access to communication technologies are more aware of their choices in the persuasion process. Those without access are not fully aware of their choices. Promotion and use of media resources are ethical concerns for this reason. We examine this topic in greater detail in Chapter 4. For now, let's examine two instances in which lack of access raises ethical problems for persuaders and audience members.

Although political candidates are not required to debate their ideas in front of large audiences, it has become customary for them to do so. In fact, the audience for a presidential debate is often the largest of any television show for the year. In 2000, presidential candidate George W. Bush's initial position on participating in campaign debates was that he would debate Al Gore three times, but only once in a format that would be televised by all the major networks. The other two debates would be held on single networks—NBC and

digital divide

inequality of access to communication resources, such as telephones, computers, and the Internet

CNN. Bush, in effect, tried to limit the audience for the debates. In the case of the CNN debate, only those people who had access to cable—primarily voters in the upper and middle classes—would be able to hear the candidates discuss the important issues of the campaign. Bush’s initial debate stance could be considered unethical because he sought to limit access to important political ideas. He later agreed to three debates sponsored by the Commission on Presidential Debates that were broadcast on all television networks.

The American Library Association (ALA) has taken steps to ensure that libraries that receive public funds, such as your local library, provide all users with equal access to information resources. ALA policies, for example, oppose the charging of user fees for the provision of information services (Chapin, 1999). That is, your local library should not charge you to use the Internet at its facility. In addition, libraries should not limit access to content that some may deem controversial. Betty Chapin argues, “Information retrieved or utilized electronically should be considered constitutionally protected unless determined otherwise by a court with appropriate jurisdiction” (p. 21). The ALA has created ethical standards by which librarians can help to ensure equality of access for all audience members.

OPPRESSION

Some ethicists have argued that the very nature of persuasion creates certain ideas about what is normal or acceptable in society. In Chapter 1, we said that one of the objectives for persuaders today is to make their products or ideas valuable. The result is that some other product or idea is seen as less valuable. Those individuals who use products or have ideas that do not meet the persuaders’ definitions are then marginalized because they do not fit in with society. In this sense, all of us are denied information from which to make decisions and choices. When persuasion determines our values and beliefs, it is difficult to step outside of those values to make careful choices.

Advertising, for instance, is most effective when it creates and maintains cultural values. Jean Kilbourne (1999) discusses advertising’s effects on how we see ourselves and our world. She writes, “Advertising often sells a great deal more than products. It sells values, images, and concepts of love and sexuality, romance, success, and, perhaps most important, normalcy. To a great extent, it tells us who we are and who we should be” (p. 74). Kilbourne traces specific effects of advertising on audiences, focusing on such subjects as relationships, eating disorders, and cigarette smoking. She directly addresses the ethics of power and advertising when she discusses advertising’s relationship to sex and violence. Kilbourne writes, “Sex in advertising is pornographic because it dehumanizes and objectifies people” (p. 271). Advertising fosters a culture, says Kilbourne, that creates and maintains certain attitudes and values, such as that women are valuable only as sex objects.

In another way, persuasion is fundamentally related to power. Persuaders seek to use words and images in a way that will give them power over an audience and other persuaders. Often, they disempower some group to achieve success. Discrimination and sexual harassment in the workplace remain ethical

problems related to power and persuasion. In 1996, Texaco officials, in closed-door meetings that were secretly tape-recorded, referred to African American employees as “black jelly beans” and “niggers.” When the tapes were made public, Texaco faced a public backlash, suspended the managers involved, and instituted diversity programs. Equal opportunity laws and sexual harassment laws have been designed to force compliance with ethical standards related to language, persuasion, and power.

PRIVACY

When persuaders obtain information through audience analysis, they have ethical responsibilities to protect that information from others who would use it without discretion. Our discussion in Chapter 5 reveals the extent to which persuaders delve into the attitudes of audience members. When persuaders obtain information about us without our knowledge, they may ingratiate themselves with us in a way that undermines our decision-making ability. In other words, we lose our ability to choose actions and beliefs when persuaders target us with highly sensitive personal information. We are often persuaded without knowing that we are being persuaded. In Chapter 5, we consider an example of a company that lost control over information about its clients. For now, let’s consider several ways that audience members lose their privacy in the media age.

In September 2000, Amazon.com announced a new privacy policy that would view consumer information—such as credit card information, addresses, and consumer preferences—as a “business asset” that it might sell or transfer to other businesses. In the event that Amazon.com is acquired by another business, the consumer information it has collected would likely be transferred to the acquiring business. Under the new policy, consumers no longer have the choice to “opt out” of sharing information with another business. Consumer groups, such as TRUSTe, reacted negatively to the new policy because they believe that businesses must provide choice to consumers with regard to their personal information. Amazon.com insists that its new policy provides more information to consumers about what it might do with their information, but ethical questions remain over how persuaders should protect the information they obtain about their audiences. Investigate the privacy of your personal information by completing the Internet Activity: Protecting Your Privacy Online.

CONFLICT OF INTEREST

The vast web of influence that we have said characterizes persuasion today also makes it difficult for audience members to fully appreciate the role of persuaders in the persuasive process. The news media depend on sources for stories. These sources, such as politicians, depend on news reporting for publicity. As a result, each has a vested interest in how reporting takes place. We are not always aware of these interests. In addition, the large media mergers in recent years have made it difficult to understand who is controlling news and entertainment programming.



INTERNET ACTIVITY

Protecting Your Privacy Online

When you shop online, you turn over a great deal of personal information to the online retailer. At some point, you probably click on a button to accept the terms of use for the company. Without realizing it, you may be giving that company a great deal of discretion in what they do with your personal information. Visit your favorite online retailer or the website

for a store where you'd like to shop. Or, check out the website for Amazon.com. Find a link to the company's privacy policy and read their policy. Did anything in the policy surprise you? Will you take any precautions the next time you use the company's online services? Are you generally comfortable that the company will protect your privacy?

During the Iraq war, the Department of Defense and the major news organization developed a plan to embed reporters with frontline troops. The reporters would train, sleep, and eat with military troops while reporting on the war's developments. In return, the reporters agreed not to report exactly where the troops were stationed and their mission. You probably remember seeing images of troops engaged in gunfights or of the troops traveling across the desert. Skeptics of the plan feared that the reporters would become too friendly with the troops and fail to provide honest coverage of the war. Others worried that the reporters would report troop movements, endangering their lives and mission. Although there will be much analysis of the program, CNN's Wolf Blitzer (2003) reports that his initial skepticism about embedded reporters "wasn't justified." He argues that the arrangement "worked rather well for all concerned." Still, it's important to remember to closely analyze news coverage so that you understand the relationships between reporters and their subjects.

Medical reporting, too, faces the danger of hiding potential conflicts of interest. Recent reporting about Celebrex, a drug developed to treat osteoarthritis and rheumatoid arthritis, relied on the expert opinions of several doctors. The doctors downplayed the side effects of the drug on such shows as *Today* and *Dateline NBC*. What viewers did not fully appreciate from the coverage was that the doctors who were interviewed had been paid by G. D. Searle, the company that produces Celebrex, to test the drug. Other media sources, including the *Wall Street Journal*, found that Celebrex had been linked to 10 deaths and 11 cases of gastrointestinal hemorrhages during the first three months the drug was on the market (Lieberman, 1999). The point is not that NBC reporters or the doctors they interviewed lied about the drug, but rather that their bias was neither questioned nor fully exposed. Persuaders should have an ethical responsibility to disclose their association with the ideas they communicate.

Think of additional examples of the ethical challenges of the media age. What do you think the persuader in each of your examples could have done to be more ethical?

Approaches to Ethical Decision Making

Given the challenge posed by persuasion practices, theorists have identified several criteria, or sets of standards, by which persuaders and audience mem-

bers can make ethical judgments. It is important that when they make ethical judgments, persuaders and audience members justify their reasons to others. The approaches that we examine here have been used by philosophers, scholars, and practitioners to make ethical decisions about persuasion. Each approach specifies a value or set of values that should guide an ethical decision. Often these approaches become operationalized in a **code of ethics**, which is a formal statement by an organization of its ethical standards. We'll examine codes of ethics later. For now, let's understand some of the guiding principles by which persuaders make ethical decisions and attempt to justify those decisions. First, though, we must explore the various arguments for universal and situational ethical perspectives.

code of ethics
an organization's formal statement of its ethical standards

UNIVERSAL VERSUS SITUATIONAL ETHICS

The philosopher Immanuel Kant argued that ethical standards are categorical imperatives—that is, that ethical standards are universal and do not vary with the person, situation, or context. By “categorical imperative,” Kant meant that there are some acts that are always right and some acts that are always wrong. In the media age, people have a variety of beliefs about which ethical standards are valid and which are not. Members of contemporary culture have many different, and often conflicting, values. The use of rigid, universal ethical standards is not readily accepted in today's world. Yet the appeal of such standards is strong. As we examine the National Communication Association's Credo for Ethical Communication later in this chapter, you will see that certain ethical standards, such as honesty, respect, and human dignity, are widely accepted within the communication discipline.

John Stuart Mill provides us with a different view of ethical standards. Where Kant's standard is universal, Mill's standard is determined by the situation. Mill's principle of utility suggests that what is ethical is that which produces the greatest public good. Ethical standards may vary depending on the situation. For instance, in many cases, the president of the United States should not lie to the American people. In particular, when running for office, presidential candidates should not lie about their record or the records of their opponents. Likewise, when trying to have new legislation passed, the president should not lie about its presumed effects. In some situations, however, it may be desirable for the president to lie. In times of war, for instance, we do not expect our president to be forthright about the timing of attacks. To be honest at these times would endanger the lives of those involved in the mission as well as jeopardize the mission and the good that might come of it. Mill's principle of utility, then, acknowledges ambiguity as to what is ethical. It provides opportunity for public discussion about what is ethical.

THE FIRST AMENDMENT

One universal ethical standard that we recognize today is the freedom of speech guaranteed by the First Amendment to the United States Constitution. The nation's founders viewed this amendment as a way to protect our democracy.

This amendment influences how we think about news reporting, political communication, persuasive movements, and other manifestations of persuasion. The First Amendment is used by persuaders to justify unpopular communication.

News reporters argue that the First Amendment gives them the power to make ethical decisions about how they present the news to the public. This protection allows the news media to aggressively question government officials about corruption; at the same time, this freedom allows the news media to determine the news of the day. Politicians use their First Amendment rights to speak openly about issues that may not be popular with the current government or with the people. Freedom of speech allows political persuaders the opportunity to question the nature of our government. Freedom of speech has been an important way for members of persuasive movements to petition the government for changes in voting, employment, and housing laws. By holding legal protests, such as the Million Mom March—in favor of gun control—or the civil rights March on Washington—a motivator of sweeping changes to U.S. voting laws in the 1960s—persuaders gather large numbers of people in support of change.

This is not to say that freedom of speech is guaranteed in every communication situation. The Supreme Court has ruled that freedom of speech should be seen as subordinate to other ethical standards, such as respect for human life. It is illegal, for instance, to shout “Fire” in a crowded theater because such a statement would cause harm to individuals. Likewise, selling or obtaining child pornography is illegal because this type of communication infringes on the rights of children. Thus, although freedom of speech is often seen as a universal ethical standard, there are instances in which other values are determined to be more important.

RICHARD JOHANNESSEN

Johannesen (1996) provides one of the most comprehensive discussions of ethical standards in the communication discipline. He identifies a set of standards that is often used to make ethical decisions. We will survey his discussion of three ethical standards.

Political Perspective One way that we can make ethical decisions is by assessing the degree to which a behavior reflects the values and procedures of a culture’s political system. Johannesen (1996) outlines several characteristics of the American political system that serve as guides for ethical decisions. Our political system relies on the rationality of its citizens to make decisions, cast votes, and govern effectively. That is, reason and logic are fundamental tenets of our system. Thus, persuasion that undercuts the rationality of decision making can be judged unethical. Consider the political scenario described earlier in the box Ethical Insights: Ethical Responsibilities of Persuaders and Audience Members. From it, you might conclude that an overwhelming amount of political advertising is an unethical attempt to short-circuit people’s rationality. That is, a candidate who structures a campaign knowing that people base their vote

more on name recognition than on consideration of the issues is not promoting the public's ability to make a rational electoral choice.

Johannesen outlines a set of procedures inherent to our political system that reflects the ethical concerns we have just discussed. For instance, unrestricted debate and discussion ensure that all who wish to influence the political process have the opportunity to speak and be heard. In addition, legal procedures exist to protect those who wish to influence the political system. The press also has the freedom to question our political leaders and the decisions they make. From the political perspective, ethical persuasion upholds and reflects the values and procedures of the American political system.

Human-Nature Perspective The human-nature perspective on ethical standards focuses on the essence of human nature. This approach argues that the characteristics that separate us from animals can serve as the basis for making ethical judgments. Thus, communication that reflects the importance of reasoning, symbol use, and value judgments is ethical. Communication that denies the importance of these concepts is unethical. Persuasion that dehumanizes an individual is judged to be unethical. The use of sexist or racist language is often seen as unethical because such language dehumanizes its subject. Persuaders who refer to women as “chicks,” “foxes,” or “babes” view them as something less than thinking, rational, mature adults. Labeling African Americans “mud people” strips them of their humanity.

Dialogical Perspectives The dialogical perspective argues that ethical human communication should reflect the values of a dialogue, instead of a monologue. Johannesen (1996) explains that honesty, inclusion, confirmation of the worth of the other individual, mutual equality, and a supportive climate characterize a dialogue. A monologue, on the other hand, focuses on the needs of one communicator and reduces the opportunity for feedback from the audience. A dialogue, Johannesen argues, encourages audience member and persuader to make a choice, which we have said is an important part of ethical persuasion. In the media age, we are too often confronted with persuaders who seek to have a monologue with us. Advertising that is repetitive and mindless, for instance, does not encourage a response from us. The most ethical, and perhaps the most effective, persuasion involves the audience member in the coproduction of identification.

Which of Johannesen's ethical standards are most persuasive to you? Which do you use most regularly to make ethical judgments?

The Making of Ethical Judgments

Although we have just discussed several ethical standards, ethical decisions are seldom clear-cut. We are often forced to make ethical decisions because two value systems, or ethical standards, conflict. For instance, cigarette companies have the right to advertise their product because of First Amendment guarantees and the value our culture places on free-market capitalism. On the other hand, tobacco advertising may be seen as unethical when it targets children,

who cannot legally purchase tobacco products. When such a conflict arises, we use persuasion to convince others that some behavior is ethical or that it is not. Like other concepts in our study of persuasion, ethical standards are created and ethical judgments are often made through the persuasion process, as illustrated in Figure 1.2. Ethical judgments are made on a variety of levels: at the cultural level, organizational level, and personal level. As with other aspects of persuasion today, media play a large role in shaping public discussions of ethics. Persuaders often decide for themselves what they consider ethical and unethical. In some cases, organizations make unilateral decisions about what each considers appropriate; in other cases, some organization that has the power to enforce ethical judgments determines the outcome. At other times, court decisions determine the final outcome. In the examples that follow, we will see how persuaders make ethical judgments.

In some cases, persuaders make ethical judgments on their own without resorting to public debate. In 1999, Calvin Klein decided to drop advertising for children's underwear after New York City Mayor Rudy Giuliani and other critics complained that the ads looked pornographic. The ads featured two boys sitting on a couch, one wearing boxers, the other briefs. Critics complained that the ads would appeal to pedophiles. Klein pulled the ads, acknowledging that the public response raised issues the company had not considered.

Organizations of persuaders often adopt codes of ethics to help their members, and the public at large, understand the various interests involved in ethical decisions. Although grounded in ethical theory, codes of ethics such as these are at best guideposts and cannot serve as the final answer for those making ethical judgments. However, such codes do have the power to influence *how* organizational members make ethical decisions. We discuss several specific codes of ethics in later sections of this chapter, concluding by examining the Credo for Ethical Communication created and adopted by the National Communication Association.

When persuaders make ethical judgments that others believe are wrong, they are often called upon to change their position. Ethical decisions are often discussed widely throughout culture, with many people offering their ethical judgments. Individuals, organizations, and government agencies are the persuaders in these situations. The news media often facilitate the discussion, influencing how the public thinks about ethics. Although there is usually no formal vote on the question, public opinion polling, boycotts, or organizational decisions often determine the outcome of these discussions. Let's examine an example to better understand how our culture passes judgment on ethical decisions.

Critics of Dr. Laura Schlesinger, a self-help radio talk show host, made ethical challenges against her following statements she made on her radio show regarding homosexuals. Dr. Laura called homosexuals "deviants" who are "biological errors." At the time, Schlesinger was one of today's most popular talk show hosts, being heard on more than 400 stations. Her newspaper column appeared in more than 100 papers. The protests against Dr. Laura became louder when she was signed to host a television talk show beginning in September 2000.

Gay and lesbian organizations have been the major opponents of Dr. Laura and her show. The organization GLAAD (Gay and Lesbian Alliance against Defamation) led the protests. The group picketed Paramount Studios, the company producing Dr. Laura's television show, and took out advertising in trade journals urging companies not to advertise on the show. A website called StopDr.Laura.com received more than 3 million hits a week in early 2000. As a result of the public outcry against Dr. Laura, advertisers, including Proctor and Gamble, pulled their advertising—\$2 million worth—from the television show. United Airlines, Xerox, and Toys “R” Us canceled advertising on her radio show. Formal organizations also weighed in with their judgments. The Canadian Broadcast Standards Council determined that Dr. Laura's claims regarding homosexuals violated the Canadian Association of Broadcasters' code of ethics. As a result, radio stations airing her show also had to air announcements notifying the public of the council's decision. The show was dropped from Canadian stations. Dr. Laura later apologized for her word choice in referring to homosexuals as “deviants.” Dr. Laura's career (her television talk show was canceled in early 2001) and credibility suffered from what some perceive to be unethical communication on her part.

When public protest is not successful at influencing an organization's judgment, critics of the organization can pursue a variety of avenues to bring about the decision they want. In some cases, a regulatory agency, such as the Federal Trade Commission or the Federal Election Commission, determines what is ethical. In other situations, a lawsuit may be brought against the ethically suspect organization.

The FTC is charged with regulating trade in the United States. Thus, its responsibilities include identifying ethically suspect persuasive practices used in commerce, such as in advertising. The FTC recently warned retailers Buy.com, Office Depot, and Value America that advertising computers with a \$400 rebate was potentially misleading (Teinowitz, 2000). The advertising did not make clear that the rebate was valid only when consumers signed up for three years of Internet service. The ads also did not make clear when consumers could expect their rebate. In some cases, the rebates took 17 weeks to arrive. In this situation, the FTC simply warned the ethically suspect organizations. The FTC also has the power to fine organizations that do not comply with ethical communication practices, as was the case in the Mazda example discussed earlier.

In some cases, lawsuits filed against a persuader cause ethical decisions to be made in court or to be settled before the case reaches trial. In recent years, tobacco companies have been accused of using unethical advertising to target cigarettes at children and youth. State attorneys general banded together in 1999 to sue tobacco companies for this advertising. The result was a \$206 billion settlement between the major tobacco companies and 46 states. In addition to the monetary settlement, tobacco companies agreed not to target their advertising to youth, to stop sponsoring certain athletic events, and to remove billboard advertising.

At the most fundamental level, every audience member is involved in ethical decision making. We may choose to vote for a candidate we determine is

Describe an ethical judgment that you have made recently. How did you express your judgment? What was the result?



INTERNET ACTIVITY

Resolving Ethical Issues

As we have just read, resolving ethical issues takes place on several levels by many individuals. One of the best ways that you can take part in discussions about ethical issues is to read media coverage of ethical topics. Read an issue of the Ethics News-line, published by the Institute for Global Ethics,

<http://www.globalethics.org>. Choose a persuasion-related ethical issue discussed in the newsletter, and read the coverage of that issue. Describe how you think the issue will be resolved. Will an individual or organization take action? Will the government intervene? How will the public be involved?

ethical and against someone who we believe is unethical. We may give our business to an organization that we think is ethical or avoid businesses we believe are unethical. The Internet Activity: Resolving Ethical Issues, has you think more closely about ethical decision-making.

Persuasion and the Public Sphere

As you can see, ethical decisions are often disputed in the public arena. Some theorists lament the state of mediated persuasion because it does not allow for the free and open expression of ideas. One such theorist is the German philosopher Jurgen Habermas. He set out to develop a theory that would lead to a vibrant “public sphere,” in which all members of society could openly and rationally discuss issues that were important to them. This open discussion would result in symbol sharing, which would maximize the possibilities for choice and identification. Habermas was critical, however, of the domination of public discussion by particular interests—namely, the interests of capitalism. He saw this domination as inhibiting the audience’s ability to choose whether to identify with a persuader or not. Let’s examine Habermas’s theory more closely.

Habermas explains that society is a mix of three interests: work, interaction, and power. *Work* produces goods or services. It is a technical interest, says Habermas, in that technology is used to accomplish practical and efficient results. *Interaction* is the use of language and other symbolic communication systems to achieve social cooperation. Examples of interaction include conferences, family relations, and speeches. The third interest is *power*, or the ability to be free from domination. Each of the interests somehow mediates between human experience and the natural world. Ideally, society is a mix of all three interests, with each influencing individuals equally. Habermas is concerned that in capitalistic societies, technical interests dominate discussions in the public sphere. That is, our political and social discussions are dominated by the ideology of those who produce goods and services.

To free ourselves from the domination of the technical interests, we must be competent in our use of communication, says Habermas. His theory of universal pragmatics describes how individuals can reflect on their language use

and use rational argument to emancipate themselves from the technical interests. Habermas writes, “The task of universal pragmatics is to identify and reconstruct universal conditions of possible understanding” (1979, p. 1). Habermas focuses on how persuaders can identify with their audiences through the use of rational discourse.

At the core of universal pragmatics are speech acts and how those speech acts can be challenged to come to rational understanding. A **speech act** is a statement that accomplishes something or does something. A promise is an example of a speech act. When you make a promise, you enter into an implicit contract by which you agree to do something in exchange for something else. Habermas (1979) outlines three types of speech acts: constatives, regulatives, and avowals. *Constatives* are used to assert the truth or falsity of something. When you say that it is cold outside, you are using a constative. Constatives reflect the cognitive use of language because they describe something that is happening in the world. *Regulatives* are used to influence someone else. You use regulatives when you make a promise or issue a command. Regulatives are examples of the interpersonal dimension of language. We use regulatives to manage the interpersonal relationships in our lives. *Avowals* express the speaker’s feelings or emotions. The statement “I am happy” is an example. Avowals reflect the expressive use of language. We use first-person sentences to disclose our internal condition to others (Habermas, 1979). Table 3.1 outlines the types of speech acts in this theory.

speech act
a statement that accomplishes something or does something

Let’s consider an advertisement that is part of the “got milk?” campaign to understand the speech acts involved. You may be familiar with this campaign. Usually, a celebrity is featured wearing a milk moustache. A memorable caption that reflects the celebrity is used, and the got milk? slogan is displayed at the bottom of the page. Usually a factual statement is used to persuade the reader to drink milk. One particular ad featured actress and model Andie MacDowell. She is pictured in a country scene with the words “Beauty mark” printed next to her face. Toward the bottom, readers are advised, “Milk has vitamin A and niacin to help keep skin looking smooth and healthy.” The famous slogan, “got milk?” is again used to entice readers to drink milk.

We can say that the ad contains each of the speech acts identified by Habermas. The ad uses a *constative*, or truth claim, when it says that “Milk has vitamin A and niacin to help keep skin looking smooth and healthy.” The ad also uses a *regulative*, or command, when it asks the reader “got milk?” The overall tone of the ad is also making a command of readers to drink milk, or at least to consider doing so. Finally, the image of MacDowell suggests an *avowal*, that she is happy and content. Although she doesn’t explicitly make a statement about her internal state, readers are expected to imply her feelings from her facial expressions and body posture.

Constatives, regulatives, and avowals must meet thematic validity standards for accurate communication to occur (Habermas, 1979). Constatives must be *truthful*. Habermas (1979) says that the intention of the speaker does not matter. What matters is the “truth of the proposition” (p. 58). In the case of the milk ad, we should ask if milk really does help keep skin looking smooth and healthy. Regulatives must be *appropriate* given the interpersonal relation-

Table 3.1 Types of Speech Acts

Speech act	Definition	Evaluation standard
Constative	Assert truth or falsity	Truthfulness
Regulative	Use to influence	Appropriateness
Avowal	Express internal state	Sincerity

ship between the speaker and the listener. A student, for example, cannot demand that an instructor give a certain grade for an assignment. Such a command is not appropriate to the relationship. In the milk ad, we might question the command that we drink milk. Is this command appropriate for the nation's milk providers to ask of the general population? Avowals must be *sincere* expressions of a speaker's feelings. If I say that I am happy, that statement must be a genuine reflection of my mood. Since we will never be able to tell if MacDowell is indeed happy in the milk ad, we might read some more about her to learn if she is, generally, happy and if she drinks milk.

Habermas fears a society in which audience members take a persuader's words for granted. He argues that audience members should question what a persuader says and does. To question the statements of a source, we engage in **discourse**. There are different types of discourse, depending on which type of statement—constative, regulative, or avowal—is being questioned. Sincerity is usually not resolved through discourse, but rather through continued communicative action. When we doubt the sincerity of a speaker, for instance, we examine nonverbals or we ask questions that probe sincerity. Habermas (1973) argues, "It will be shown in time, whether the other side is 'in truth and honestly' participating or is only pretending to engage in communicative action and is in fact behaving strategically" (p. 18). In the case of constatives or regulatives, however, we turn to discourse.

Constatives, or truth claims, are resolved through theoretic discourse, which uses evidence to support arguments. *Theoretic discourse* is the search for arguments to support a statement concerning truth; it is a "claim of validity" (Habermas, 1973, p. 18). The milk ad, as we have said, claims that drinking milk, because it contains Vitamin A, will lead to smooth and healthy skin. A variety of studies contradict this claim by saying that drinking milk may lead to acne, in teenagers especially, and bone fractures. Theoretic discourse would use these contradictory studies to refute the truth claim presented in the ad. Additionally, we might point out that the picture of MacDowell—which is used to support the claim about drinking milk and smooth skin—is potentially retouched, so it does not provide an accurate form of support for the claim.

Practical discourse is used when appropriateness is questioned. Habermas wrote that practical discourse offers justifications for the use of regulatives, statements that are used to influence others. We might question the appropriateness of the milk ad's command to drink milk by pointing out that many readers of the ad are lactose intolerant and drinking milk will make them sick. According to the National Digestive Diseases Information Clearinghouse,

discourse
a statement that challenges a speech act

Table 3.2 Types of Discourse

Related speech act	Discourse type	Definition
Constative	Theoretic discourse	Evidence for a claim
Regulative	Practical discourse	Justifies statement of influence
Avowal	None—use direct communication action	

30 to 50 million Americans are lactose intolerant, including 75 percent of African Americans and Native Americans and nearly 90 percent of Asian Americans. If we were to use discourse, we would question the appropriateness of the ad's request that we drink milk because it does not make the side effects of drinking milk known to its audience. Table 3.2 outlines the basic types of discourse.

As arguers attempt to resolve their differences over truth claims, they may not agree on standards for their discussion. Thus, they turn to *metatheoretical discourse* to argue about what constitutes good evidence or reasonable standards. There is a great deal of evidence about drinking milk. The perspective of universal pragmatics seeks to have discussion about which standards are appropriate to use in discussions about truthfulness and reasonableness. If we were to discuss drinking milk, we would want to discuss the source and methods of research used to generate evidence about milk. For instance, we might agree that studies done of diverse populations by unbiased third-party researchers would be the best to use to establish what is true about drinking milk.

Finally, speakers may resort to *metaethical discourse* to argue about the nature of knowledge itself. Metaethical discourse is a philosophical argument about how knowledge is generated. Thomas A. McCarthy (1978) explains, "For here we must consider the question, what should count as knowledge?" (p. 305). Traditionally, knowledge is produced by scientific inquiry. We might assume that evidence from scientific study is the most reliable, but Habermas would caution us to also consider other ways that knowledge is created. You might be lactose intolerant and know from personal experience that drinking milk makes you sick. No scientific study would be necessary to prove this and, to you, scientific analysis of the benefits of drinking milk would be a flawed way to generate knowledge about the topic.

The point of this example is not that drinking milk is good or bad or that the got milk? campaign is unethical. What is important, from the perspective of universal pragmatics, is that we are able to freely discuss and debate the truth claims, reasonability of making requests, and sincerity of advertising in contemporary culture.

Keep in mind that Habermas's goal is a vibrant public sphere that fosters ethical communication. To achieve this goal, communication must meet the three standards of the **ideal speech situation**, a theoretical construct that helps us envision a society free from controlling interests. First, the ideal speech situation requires freedom of speech. All individuals must be able to freely express their ideas. Second, all individuals must have equal access to speaking. Finally, the norms and obligations of society must be equally distributed. One group in

ideal speech situation
a theoretical construct that helps us envision a society free from controlling interests



THINKING CRITICALLY

Ethics and the Ideal Speech Situation

A teacher at Naperville North (Illinois) High School was recently fired for sexually abusing a female student of the school. Student reporters for the school newspaper judged the event to be newsworthy, researched the story, and wrote a 385-word article for the school newspaper. School administrators, however, told the students that they could not print the story. A large blank space was instead left in the paper, and the paper's editor wrote an editorial criticizing the administration's decision. The students soon gained national media attention for the issue and the administration allowed the article to be printed. The article was also displayed on www.bolt.com, an Internet site that prints banned articles from school newspapers. Following discussions with the district's school board, a committee established guidelines for what could and could not be printed in the school newspaper. Although the final result may allow students at Naperville North to exercise their voices, student reporters at colleges and high schools often encounter resistance from school administrators when making editorial decisions.

Jurgen Habermas might claim that the interests of school image and reputation dominated other interests at this school, including the students' right to free speech. Initially, the situation did not appear to

reflect Habermas's theory of the ideal speech situation. In a few pages, we will discuss the Society of Professional Journalists ethics guidelines, which include this statement: "Journalists should be free of obligation to any interest other than the public's right to know" (SPJ, 1996). This statement reflects Habermas's ideal speech situation, but in practice, this guideline may sometimes be difficult to follow. Student journalists like those at Naperville North High School may find it particularly difficult to free themselves from other interests.

Consider Habermas's ideas as you answer the following questions:

1. What responsibilities do student reporters have to cover school news? What responsibilities do administrators have to protect privacy and the school's reputation? What should be done when these interests compete with each other?
2. How does the Internet help to realize Habermas's goal? How might the Internet reflect the interests of the dominant group in a society?
3. Using Habermas's theory, what are some guidelines you would suggest to the Naperville North school board as it considers boundaries for the student newspaper?

Consider a current discussion that is occurring in society. Does the discussion resemble Habermas's goal of the ideal speech situation? Do all parties have an equal chance to communicate? Can they do so freely? Are expectations about what is true and false shared by all involved in the discussion? How might the discussion be improved to give more voices the opportunity to participate?

society must not dominate the speaking situation. Habermas calls for us to use rational communication, in the form of universal pragmatics, to restore the public sphere and allow individuals to make free choices concerning identification with a persuader. As you read about the school newspaper at Naperville North High School in Thinking Critically: Ethics and the Ideal Speech Situation, consider Habermas's theory and how students and administrators at the school can work together to serve the interests of the school population.

Postman (1985) argues that although there are distinct shifts in a culture's preference for one medium over another, the existing media are never completely displaced. Thus, new forms of media challenge the knowledge base of existing media. The intellect produced by television, for instance, is contradicted by that produced by writing, for instance. Jurgen Habermas's theory helps us to understand how we can use language, or discourse, to challenge the reality created by electronic media. For example, the organization Adbusters asks us to question the relationships we have with advertisers. (The website for this organization can be found by looking on this book's website.)

We next discuss the specific ethical challenges posed by several persuasive contexts and examine ethical codes that are relevant to these contexts. Following this discussion, we look at the integrated Credo for Ethical Communication developed by the National Communication Association. We will refer to these codes throughout this book as we discuss relevant ethical issues in each chapter.

Visual Images and Ethics

The use of images by persuaders has raised ethical concerns. With today's digital technology, images can easily be manipulated to serve the ends of unscrupulous persuaders. Experts believe that it is possible to digitally alter a photograph without leaving any sign of what has been done (Grumet, 1997). In 2000, officials at the University of Wisconsin–Madison digitally inserted an image of an African American student into a picture of Caucasian students on the cover of the school's admissions booklet. The student's photograph was inserted to give the appearance of diversity. When students found out about the digital insertion and raised questions, the school pulled the booklet and reprinted it at a cost of \$64,000.

In Chapters 6 and 10, we address the use of digital image insertion in advertising and other programming. This practice alters an image so that readers or viewers see a new product. In Chapter 6, we look at how CBS digitally inserts its logo on buildings and other backgrounds for its news shows. In Chapter 10, we examine how Dannon manipulates photographs of celebrities to make it look as if they are holding Dannon yogurt containers. Before we consider these examples, let's examine the code of ethics of the National Press Photographers Association (n.d.). The code addresses these and other areas of image use.

National Press Photographers Association's Code of Ethics

1. The practice of photojournalism, both as a science and art, is worthy of the very best thought and effort of those who enter into it as a profession.
2. Photojournalism affords an opportunity to serve the public that is equalled by few other vocations and all members of the profession should strive by example and influence to maintain high standards of ethical conduct free of mercenary considerations of any kind.
3. It is the individual responsibility of every photojournalist at all times to strive for pictures that report truthfully, honestly and objectively.
4. As journalists, we believe that credibility is our greatest asset. In documentary photojournalism, it is wrong to alter the content of a photograph in any way (electronically or in the darkroom) that deceives the public. We believe the guidelines for fair and accurate reporting should be the criteria for judging what may be done electronically to a photograph.
5. Business promotion in its many forms is essential, but untrue statements of any nature are not worthy of a professional photojournalist and we condemn any such practice.
6. It is our duty to encourage and assist all members of our profession, individually and collectively, so that the quality of photojournalism may constantly be raised to higher standards.

7. It is the duty of every photojournalist to work to preserve all freedom-of-the-press rights recognized by law and to work to protect and expand freedom-of-access to all sources of news and visual information.
8. Our standards of business dealings, ambitions and relations shall have in them a note of sympathy for our common humanity and shall always require us to take into consideration our highest duties as members of society. In every situation in our business life, in every responsibility that comes before us, our chief thought shall be to fulfill that responsibility and discharge that duty so that when each of us is finished we shall have endeavored to lift the level of human ideals and achievement higher than we found it.
9. No Code of Ethics can prejudge every situation, thus common sense and good judgment are required in applying ethical principles.

Political Persuasion

Politicians and political consultants face ethical challenges as they persuade voters to support a particular candidate. Because the stakes are so high in a political campaign, it is necessary that political persuaders act ethically when they communicate with the public. Let's highlight some of the ethical challenges faced by political persuaders.

Political consultants must decide whether to work for a particular candidate or issue. Consultants often must choose whether they should work for someone with whom they do not agree. It is not uncommon, for instance, for a pro-choice consultant to work for a pro-life candidate. In these situations, consultants must choose between their personal ideas of what is right or wrong and their need to work to support themselves and possibly a family. Consultants often address this ethical dilemma by concluding that the candidate for whom they will work is the best one in the campaign and will make a good leader, despite the differences of opinion between them on some matters.

A second ethical gray area in politics is that campaign laws are ambiguous or nonexistent. Dennis W. Johnson and Edward P. Grefe (1997) say there are no real penalties for lying in a campaign. If caught, the consultant and the candidate may both lose credibility and the candidate may lose the election, but no criminal or civil penalties are imposed on those who lie in political campaigns, except when rules against libel or slander apply. Further, many election laws are ambiguous, such as current laws regarding "soft money." In recent years, the line between political party-sponsored advertising for a candidate (which is illegal) and advertising for or against an issue (which is legal) has been fuzzy. As a result, candidates and consultants are forced to rely on their own ideas about ethics to make campaign decisions. Legislators have passed reforms that would clarify the soft money issue, but the usefulness of this legislation is uncertain.

Finally, the American public questions the relationship between consultant and candidate because political consultants have no accountability to the voters (Johnson & Grefe, 1997). The candidate can be voted out of office or impeached, but the influence of the consultant on public policy goes unchecked.

For instance, consider the example of former President Bill Clinton's advisor Dick Morris. Although many members of Clinton's administration had to be approved by Congress, Morris was simply hired by Clinton. Many observers believe that Morris exercised a great deal of influence over Clinton—influence that was difficult to detect and difficult to question. We like to know what forces influence political decisions. Morris's involvement slipped under the radar of many political observers, causing them to question whether he was influential in several Clinton administration policies. In fact, Morris used the codename "Charlie" to conceal his identity when he called Clinton.

To respond to some of the ethical challenges we have discussed, the American Association of Political Consultants (n.d.) has established a code of ethics for its members:

American Association of Political Consultants' Code of Ethics

- I will not indulge in any activity which would corrupt or degrade the practice of political consulting.
- I will treat my colleagues and clients with respect and never intentionally injure their professional or personal reputations.
- I will respect the confidence of my clients and not reveal confidential or privileged information obtained during our professional relationship.
- I will use no appeal to voters which is based on racism, sexism, religious intolerance or any form of unlawful discrimination and will condemn those who use such practices. In turn, I will work for equal voting rights and privileges for all citizens.
- I will refrain from false or misleading attacks on an opponent or member of his or her family and will do everything in my power to prevent others from using such tactics.
- I will document accurately and fully any criticism of an opponent or his or her record.
- I will be honest in my relationship with the news media and candidly answer questions when I have the authority to do so.
- I will use any funds I receive from my clients, or on behalf of my clients, only for those purposes invoiced in writing.
- I will not support any individual or organization which resorts to practices forbidden by this code.

Advertising

Each year, the National Advertising Division (NAD) of the Better Business Bureau investigates 100 to 150 cases of potentially unethical advertising. Many companies comply with the decisions made by the NAD, but the Federal Trade Commission is the ultimate enforcement authority concerning unethical advertising. Advertising is fraught with ethical decisions and dilemmas, in part because rules regarding ethical advertising are themselves vague. Let's examine a few ethical issues related to advertising.

Advertisers often use a spokesperson to endorse a product, service, or idea. When we see someone saying that he or she uses a product and that it works well, we may be persuaded to purchase the product. Quite often, however, the actor or actress in the commercial does not use the product—and does not have to. The FTC requires only that celebrities who endorse a product or service actually use what they are selling. Anonymous actors or actresses do not have to use the product they sell to us, a practice that is potentially misleading.

puffery

use of a claim that has no substantive meaning but that may nonetheless be persuasive

Puffery, use of a claim that has no substantive meaning but that may nonetheless be persuasive (Savan, 2000), is another ethical concern in advertising. The FTC cannot take action against advertisers who use puffery despite the fact that it may mislead audience members, because the claims these advertisers make don't mean anything. When an advertiser claims its sports car is “sexy,” consumers may be persuaded to purchase the car because of this image, but the advertiser cannot be held responsible because “sexy” doesn't mean anything substantive. Likewise, use of the term “state of the art” requires little proof on the part of advertisers. Puffery may be persuasive, but this type of language also gives advertisers an ethical defense against their critics.

On a more fundamental level, advertising creates images of an ideal life that many of us will never achieve. Advertising shows us perfection: perfect skin, perfect families, perfect homes. We often measure ourselves and our accomplishments by the advertising we encounter. When we do not achieve the standards idealized in advertising, we feel marginalized and oppressed, an aspect of ethical persuasion we discussed earlier. In addition, Americans spend billions of dollars each year trying to achieve the perfection we see in advertising. We contaminate the environment, exploit workers in other countries, and objectify members of our culture. In Chapter 11, we examine how ideas of the perfect body image contribute to the presence of eating disorders in our culture. Most formal codes of ethics or rules governing advertising do not address these issues.

Fundamentally, there are few legal requirements for ethical advertising. Three rules help the FTC make ethical judgments: (1) An ad cannot be deceptive; (2) objective claims must be supported by competent studies; and (3) advertisers are responsible for the reasonable implications of their ads to consumers (Savan, 2000). Thus, advertisers and those who make decisions regarding ethical advertising have few hard-and-fast rules for determining what is ethical. In Chapter 10, we examine how advertisers use digital imagery to make a deceptive correlation between their product and a celebrity spokesperson. Such imagery is potentially unethical. For now, let's consider the American Association of Advertising Agencies' Creative Code, its Code of Ethics, which is contained in its Standards of Practice (AAAA, 1990).

American Association of Advertising Agencies' Creative Code

Specifically, we will not knowingly create advertising that contains:

- a. False or misleading statements or exaggerations, visual or verbal
- b. Testimonials that do not reflect the real opinion of the individual(s) involved
- c. Price claims that are misleading

- d. Claims insufficiently supported or that distort the true meaning or practicable application of statements made by professional or scientific authority
- e. Statements, suggestions, or pictures offensive to public decency or minority segments of the population

Organizational Advocacy

An **organization** is a “social collectivity (or a group of people) in which activities are coordinated in order to achieve both individual and collective goals” (K. Miller, 1999, p.1). Organizations include corporations, nonprofit groups, churches, universities, and other collective entities. Organizations persuade their members as well as the public about a variety of issues. Whether an organization wants to influence the community’s vote on building a new performing arts center or to persuade the community that it is not to blame for a recent tragedy involving its product, organizations use persuasion. Because the public has a stake in the actions of organizations, it is important that organizations communicate ethically. Several ethical issues face organizational persuaders.

One fundamental challenge for organizational persuaders is combining loyalty to the organization with truthfulness to audience members. A corporate spokesperson, for example, must be truthful with the public while also portraying the organization in the best possible way. Often, it may be impossible to carry out these competing interests.

Another challenge for organizational persuaders is whether to be forthright about the identity of their client. Public relations practitioners, for instance, may be more effective in a given situation if they do not reveal their association with an organization. When persuaders are not honest about this relationship, however, the public can be misled.

To provide guidance to organizational persuaders, the Public Relations Society of America (2000) has developed a code of ethics for its members. As you think about organizational persuasion, consider the ideas contained in the society’s Statement of Professional Values:

Public Relations Society of America’s Statement of Professional Values

Advocacy

- We serve the public interest by acting as responsible advocates for those we represent.
- We provide a voice in the marketplace of ideas, facts, and viewpoints to aid informed public debate.

Honesty

- We adhere to the highest standards of accuracy and truth in advancing the interests of those we represent and in communicating with the public.

Expertise

- We acquire and responsibly use specialized knowledge and expertise.

organization

a social collectivity (or a group of people) in which activities are coordinated to achieve both individual and collective goals

- We advance the profession through continued professional development, research, and education.
- We build mutual understanding, credibility, and relationships among a wide array of institutions and audiences.

Independence

- We provide objective counsel to those we represent.
- We are accountable for our actions.

Loyalty

- We are faithful to those we represent, while honoring our obligation to serve the public interest.

Fairness

- We deal fairly with clients, employers, competitors, peers, vendors, the media, and the general public.
- We respect all opinions and support the right of free expression.

Journalism

Journalists, who we have said often function as persuaders in the media age, also face ethical issues. Because they have enormous power to influence what their audience believes and what it does, journalists must exercise careful ethical judgment. In Chapter 4, we discuss how the news media are often constrained in their coverage by economic factors. The news media, for better or for worse, are in business to earn a profit. Because of the profit orientation of their employers, journalists often find themselves in situations calling for ethical judgment. Let's survey some of the ethical issues journalists face.

In the media age, it is important that journalists check their sources carefully and use discretion. When broadcasting live, reporters sometimes use sources they have not fully checked, or the reporters do not themselves have the facts of the situation straight. The Internet has forced news reporters and editors to make quicker decisions about what to print and broadcast. They fear being scooped by a competitor if they are not the first to run a story. In addition, some online news sites do not use the same editorial standards as more established news organizations. The *Drudge Report*, which we discuss in Chapter 4, is an example of a website that does not employ the checks and balances of a typical newsroom. Matt Drudge, the site's author, does not use editors to check his information, and he freely posts unsubstantiated rumors. Mainstream news media will face continued pressures to compete with information sources that do not subscribe to the same code of ethics to which traditional media adhere.

History is also replete with examples of journalists who have fabricated sources for their stories or given a false impression from the evidence that exists. The summer of 2003 saw at least three such cases. In May 2003, *New York Times* reporter Jayson Blair was found to have fabricated and plagiarized numerous stories for the paper. As a result, Executive Editor Howell Raines and Managing Editor Gerald Boy resigned their positions with the paper. Later

that month, Rick Bragg, Pulitzer Prize-winning reporter, resigned from the *Times* for not crediting a freelance reporter on a story he wrote. A month later, sportswriter Michael Kinney was fired by *The Sedalia (Missouri) Democrat* for plagiarizing portions of columns he had written. It is important that the public be able to trust what they read and hear in the news media. Occurrences such as these jeopardize the trust the public puts in the news media.

Finally, the profit motive of journalism raises ethical issues. Because most news media rely on advertising for revenue, they may try to avoid negative stories about their advertisers. When reporters or editors fail to give the same scrutiny to their advertisers that they would to nonadvertisers, they fail in their ethical responsibilities to provide fair reporting to the public. Blake Fleetwood, a reporter for the *New York Times*, uncovered the fact that Tiffany's—the upscale Fifth Avenue New York jewelry store—received \$4.5 million from the New York state government in a program designed to keep New York businesses in the city. Fleetwood uncovered many other businesses that also benefited from the program, despite the fact that businesses like Tiffany's, Fleetwood alleged, could not afford to do business elsewhere, making this an unnecessary outlay of government funds. Yet Tiffany's was one of the *Times*'s largest and oldest advertisers. Consequently, editors rewrote Fleetwood's story and moved the mention of Tiffany's to the 19th paragraph (Fleetwood, 1999). Fleetwood's editors were attempting to placate both the public's need for the article and their advertiser's need for public support. Editors at the *San Jose Mercury News* published an article telling readers how to negotiate lower car prices. The article exposed scams in the car dealership industry. Because of the article, dealerships in San Jose boycotted advertising in the paper for four months, costing the paper more than \$1 million (Fleetwood, 1999).

Given the ethical demands placed on the news media, journalists have adopted a set of ethical standards to help them determine what is right and wrong. Examine the standards maintained by the Society of Professional Journalists (1996):

Society of Professional Journalists' Code of Ethics

- Seek truth and report it: Journalists should be honest, fair and courageous in gathering, reporting and interpreting information.
- Minimize harm: Ethical journalists treat sources, subjects and colleagues as human beings deserving of respect.
- Act independently: Journalists should be free of obligation to any interest other than the public's right to know.
- Be accountable: Journalists are accountable to their readers, listeners, viewers and each other.

NCA Credo for Ethical Communication

The National Communication Association (NCA) is an organization composed of more than six thousand communication educators. NCA members have a variety of interests, ranging from public address to organizational communication

to mass communication. The NCA Credo for Ethical Communication was developed and passed by the organization in 1999. The 10 principles of the Credo are designed to instruct educators, practitioners, and the general public about ethical communication. The NCA Credo synthesizes many of the ideas contained in our previous discussion of codes of ethics. Consider the NCA's 10 principles:

- We believe that unethical communication threatens the quality of all communication and consequently the well-being of individuals and the society in which they live.
- We endorse freedom of expression, diversity of perspective, and tolerance of dissent to achieve the informed and responsible decision making fundamental to a society.
- We are obligated to be just as respectful and responsive to other communicators as we expect them to be respectful and responsive to us.
- We believe that access to communication resources and opportunities is necessary to fulfill human potential and contribute to the well-being of families, communities, and society.
- We promote communication climates of caring and mutual understanding that respect the unique needs and characteristics of individual communicators.
- We believe that truthfulness, accuracy, honesty, and reason are essential to the integrity of communication.
- We advocate sharing information, opinions, and feelings when facing significant choices while also respecting privacy and confidentiality.
- We are committed to the courageous expression of personal convictions in pursuit of fairness and justice.
- We condemn communication that degrades individuals and humanity through distortion, intolerance, intimidation, coercion, hatred, and violence.
- We accept responsibility for the short- and long-term consequences for our own communication and expect the same of others.

How valuable are codes of ethics such as those we discussed? What codes of ethics are you bound by as a student? Do you consider those codes as you write papers, attend classes, and live as a student on campus? How might the NCA Credo for Ethical Communication influence your academic career?

Five Guiding Principles

We have discussed a variety of ethical standards, codes, and principles in this chapter. Each is useful within specific contexts and some of what we have discussed, such as the NCA Code of Ethics, is useful across a variety of persuasive situations. Baker and Martinson (2001) present a more concise, easily remembered set of ethical standards that are useful for all persuaders to consider. The five standards can be easily remembered by the acronym, TARES:

- Truthfulness (of the message)
- Authenticity (of the persuader)
- Respect (for the persuadee)

- Equity (of the persuasive appeal)
- Social responsibility (for the common good)

Lets discuss these five standards and their applicability to some of the situations we have discussed in this chapter.

The first standard is the *truthfulness* of the message. We have discussed deception earlier in this chapter. Baker and Martinson (2001) explain further: “People rely on information from others to make their choices in life, large or small. Lies distort this information, alter the choices of the deceived, and injure and lead him or her astray” (p. 160). To achieve truthfulness, the persuader’s intent is important, as is factual accuracy, completeness, and fairness.

The second standard is *authenticity* of the persuader. This standard focuses on attributes of the persuader including his or her integrity and personal virtue, genuineness and sincerity, and the independence and commitment to principle. Persuaders should make sure that they do not sacrifice their principles when communicating to audiences, they must personally believe in the product or service being promoted, and they must consider how they feel about the message.

Respect for the persuadee is the third standard proposed by Baker and Martinson (2001). This standard “requires that professional persuaders regard other human beings as worthy of dignity, that they not violate their rights, interests, and well-being for raw self-interest or purely client-serving purposes” (p. 163). Persuaders should ask if their message has the potential to benefit the audience, if the quality of the information is adequate for the audience needs, and if the message facilitates informed decision making on the part of the audience member.

The standard of *equity* of the persuasive appeal addresses messages that are unjust or manipulated. For this standard to be fulfilled, there must be an equity between the persuader and audience member, vulnerable audiences must not be targeted, and persuasive claims must be made within the abilities of the audience members to understand those claims. Baker and Martinson (2001) explained that persuaders should abide by the Golden Rule, “do unto others as you would have them do unto you.”

The final standard, social responsibility, “focuses on the need for professional persuaders to be sensitive to and concerned about the wider public interest or common good” (Baker & Martinson, 2001, p. 167). We discussed this point previously with the idea of oppression and we will return to this subject many times in our study of persuasion. The messages, products, and services promoted by persuaders should be beneficial, not harmful, to the community or culture. Persuaders should take into consideration the ethics of the community or culture. They should also strive to promote cooperation and understanding between people. Baker and Martinson also point out that stereotyping and other forms of discrimination should be avoided because they are harmful to the public good.

Ethics and Audience Members

So far in this chapter, we have focused on the ethical challenges facing persuaders in the media age and how persuaders make decisions about ethics. In

the final section of this chapter, we focus on the ethical responsibilities of audience members. You'll remember that, in our definition of persuasion, both persuader and audience member share equally in the outcome of the persuasive situation. Thus, audience members have ethical responsibilities as well.

BEING INFORMED

It can be difficult to be informed in the media age because so much information is available. In addition, much of the information we receive is inaccurate or biased by some persuasive force. Audience members must seek to educate themselves as much as possible about issues that are important. We should do what we can to learn where political candidates stand on the issues. We should consult several sources for news, instead of relying on only one television network, one newspaper, or one magazine. We should investigate the value of the products and services we use. We must be active consumers of information so that unscrupulous persuaders do not mislead us.

KEEPING AN OPEN MIND

We must also keep our minds open to all sides of an issue or idea. The media age is marked by a diversity of viewpoints and opinions. Yet we are often conditioned to see the world as conforming to a very narrow set of norms and standards. In fact, persuaders often seek to show us that one idea or one product or one way of life is more valuable than all others. We should celebrate differences in perspectives and seek to learn from those persuaders who are different from us. Doing so will help us to make sound decisions, and it will provide equal opportunity to all involved in the persuasive process.

BEING CRITICAL

We should not accept the ideas of others without question, however. We should constantly use critical-thinking skills to question the logic and reasoning of persuasive messages. We should question whether the emotions, needs, and values persuaders use to influence us are legitimate. Taking this course is a positive step toward being a critical consumer of persuasion. Using critical-thinking skills, you will learn how persuaders seek to give value to their ideas. You will learn how to test the evidence and reasoning they use. You will understand the many forces that make the persuasive process what it is today.

EXPRESSING ETHICAL JUDGMENTS

Earlier in this chapter, we noted that all of us make ethical judgments on an individual basis each day. As you listen, read, and see the persuasive messages that surround you, consider the various ethical standards we have discussed. Think about how you can use those standards to understand the persuasion you encounter. Then, when you discuss persuasion with others, express your ethical judgments and your reasons for making them.

Summary

Ethics and persuasion are linked on several levels. It is important that both persuaders and audience members exercise and express ethical judgments.

Challenges facing persuaders and audience members in the media age include deception, access, oppression, privacy, and conflict of interest. In each case, the mediated nature of the persuasive process introduces factors that all involved in the process must consider.

Ethical decisions can be made based on several standards, including Kant's categorical imperative, Mill's utilitarian principle, the First Amendment to the U.S. Constitution, or Johannesen's ethical standards. Ethical judgments are made at various levels, including the cultural and the individual.

Habermas argues that a vital public sphere of discussion requires communication competence, which makes use of universal pragmatics. When we take assumptions about persuasion for granted, we fall victim to controlling interests in society and cannot freely discuss issues that are important to us.

Persuaders and audience members face ethical challenges that reflect the context in which the parties function. Persuaders involved in specific persuasive contexts have developed codes of ethics tailored to their particular situations. The NCA Credo for Ethical Communication is a broad ethical statement that integrates many of the concerns common to these contexts.

By assessing the truthfulness, authenticity, respect, equity, and social responsibility of a persuasive message, we can evaluate its ethical dimensions.

The ethical responsibilities of audience members include being informed, keeping an open mind, being critical, and expressing ethical judgments. Audience members play an important role in ethical persuasion.

Key Terms

Visit the book's website at <http://www.mhhe.com/borchers2> for multiple-choice quizzes, Internet activities, and key terms flashcards.

ethics 64	speech act 77
coercion 65	discourse 78
violence 65	ideal speech situation 79
digital divide 67	puffery 84
code of ethics 71	organization 85



