

Communications Studies 187 – Ethical and Policy Issues in Institutions of Mass Communication

Summer Session 1

This course will examine issues in journalistic ethics and their impact on society at large. As a class, we will discuss and debate ethics as matters of principle and philosophy and delve into specific ethical conflicts, real and hypothetical, that confront working journalists, government officials and others. Class discussions will include debate over how to approach issues in ethics and will explore effective ways to resolve the quandaries that arise from them. This is not a journalism course per se; we will explore these issues in terms of their broader significance in a democratic society.

The course will examine ethics in various areas: fairness, use of anonymous sources, precision, identification, “fake news,” privacy, deception, legal issues and the distressed business models of modern journalism. Occasional guest speakers may supplement class discussions.

Course Objectives

The successful student in this course will leave with a solid understanding of the ethical quandaries that confront journalists as well as strategies for working through those issues – questions that have obvious relevance for prospective journalists but that also illuminate important questions in society generally. When a reporter casually promises a source that “we’re off the record,” is that binding? Should reporters express political preferences? May they give to causes, post lawn signs, register to vote? Where does the law impose its ethics – may a reporter lie to get a story, break into a home, don a disguise? Does technology – blogs, drones, powerful photography -- change ethical expectations? And what about the ethical obligation to tell what you know? We will not answer every one of those questions definitively – some have no clear answers – but we will develop ways to address them and strategies for behaving ethically and intelligently. Along the way, we will learn the law of defamation, privacy and false light – essential pieces of knowledge for any modern journalist, whether working in print or broadcast or in the many new fields created by the Internet. Finally, we will explore the dicey topic of how to be a principled journalist in the service of corporations.

Grading

There will be quizzes each Friday. The final grade will be based on those scores as well as a small component for attendance and participation.

Reading

Ethics in Journalism, by Ron F. Smith
The Los Angeles Times
The Los Angeles Times Ethics Guidelines
Readings as spelled out in this syllabus

Week-by-Week Topics

For this summer session, we will compress the normal schedule, packing ten weeks into three. That may involve a bit of shuffling, but the following outline should provide a reasonably accurate guide to the course. Any small changes will be announced in class.

Week 1:

Introduction, course requirements, discussion of readings, overarching theory of journalistic ethics and relationship to the laws affecting publication (print, broadcast and web) and news gathering. Also, defining journalism and its subjects.

- Fairness – What are the ethical obligations in fairness?
- Objectivity – Must reporters have no opinions – the intersections of identity, belief and bias
 - Abortion and Linda Greenhouse: <http://www.npr.org/templates/story/story.php?storyId=6146693>
 - Black Lives Matter and policing: <https://www.propublica.org/article/my-family-saw-a-police-car-hit-a-kid-on-halloween-then-i-learned-how-nypd-impunity-works>
 - <https://dbknews.com/2020/06/15/objectivity-privilege-bias-black-lives-matter/>
 - NPR on civic participation:
 - <https://www.npr.org/sections/publiceditor/2021/07/29/1021802098/new-npr-ethics-policy-its-ok-for-journalists-to-demonstrate-sometimes>
- Should reporters vote?
 - Politico: <http://www.politico.com/news/stories/0208/8470.html>
 - Balance: How does it differ from objectivity?
 - Decency: Treatment of subjects and those who come into contact with journalists
 - Ed Bradley and 60 Minutes: <https://www.nytimes.com/1979/01/16/archives/tv-boat-people-details-frustration.html>
 - Related topics: Duty of reporters to bear witness; human obligation to prevent suffering
 - Other reading: Ethics text, Part 1, Section 1 (“The Search for Principles”) and Part 2, Section 3 (“Truth and Objectivity”)

Sources – When is anonymity warranted, and how must it be granted and preserved?

The Judy Miller case

- NYT coverage: http://www.nytimes.com/2005/10/16/national/16leak.html?_r=1&ei=5094&en=ae9961705f60a5d9&hp=&ex=1129435200&partner=homepage&pagewanted=all
- Miller account: <http://www.nytimes.com/2005/10/16/national/16miller.html>

The Wen Ho Lee case

- Indictment: http://fas.org/irp/ops/ci/docs/lee_indict.html
- NYT story on conclusion of case: http://www.nytimes.com/2006/06/03/washington/03settle.html?_r=1

Other reading: Ethics text, Part 3, Section 7 (“Working with Sources”) and Part 3, Section 9 (“The Shady World of Unnamed Sources”)

Week 2:

Privacy – When does journalism become intrusive? (Note: We will return to privacy in Week 6 to discuss it as a legal issue)

- Outing – The case of Oliver W. Sipple
 - Reading: <http://www.washingtonpost.com/wp-dyn/content/article/2006/12/30/AR2006123000160.html>
- Drones: What rules should govern the use of aerial photography?
 - Reading: http://www.stanfordlawreview.org/online/drone-privacy-catalyst?utm_source=publish2&utm_medium=referral&utm_campaign=www.kpbs.org
- Other technology and implications for privacy
 - Blogs
 - Social media
- Question: Is intrusion by media less offensive than intrusion by law enforcement?
- **Other reading:** Ethics text, pp. 213-225 (general discussion of privacy)

Writing– The connection between sound journalistic practice and sound ethics

Logic, precision, clarity – What happens when these are neglected?

- Richard Jewell:
http://www.leagle.com/decision/2001730555SE2d175_1679.xml/ATLANTA%20JOURNAL%20L-CONSTITUTION%20v.%20JEWELL
- <http://www.columbia.edu/itc/journalism/j6075/edit/readings/jewell.html>
- Hyperbole
- Iseman case:
<http://www.nytimes.com/2008/02/21/us/politics/21mccain.html?pagewanted=all>

Exaggeration – “Sources”? Or, really, a source?

- Jewell again: Voice of God

Legal issues

- Defamation: <http://www.citmedialaw.org/legal-guide/california-defamation-law>
- Libel
- Slander
- Privacy
- False light
- Issues in news gathering
- **Other reading:** NYT v. Sullivan: http://www.oyez.org/cases/1960-1969/1963/1963_39/

Emerging topics: Fake News and Sexual misconduct (“Me Too”)

- How to define these areas, and how coverage of them is changing
- Are new ethical issues raised?
- Are journalists addressing them correctly?

Week 3:

Holding back – Decisions to keep information from the public

- Withholding
 - National security
 - Eisenhower and Patton
 - Bay of Pigs
 - Pentagon Papers
 - Criminal investigations
 - Threat to reveal sensitive material
 - Risk to witnesses, others

Identification – Rape victims, children

- Des Moines Register case
 - Reading/viewing: <http://www.nytimes.com/1990/03/25/us/a-name-a-face-and-a-rape-iowa-victim-tells-her-story.html>
 - Michael Jackson
 - Alleged victim's identity shielded, while Jackson's public. Is that fair?
- **Other reading:** Ethics text, pp. 225-237 (sections on naming victims, accused, children, etc.)

Deception – Hidden cameras, undercover reporting

- KNBC on farmers' market: <https://www.nbclosangeles.com/news/local/hidden-camera-investigation-farmers-markets/1856313/>
 - Dateline: To Catch a Predator: https://www.youtube.com/results?search_query=to+catch+a+predator
(No need to watch all these clips; a few will make the point)
 - Reading: Ethics text, Part 6, Section 6 ("Faking the News") and Part 3, Section 10 ("Deception")
 - Chicago Sun Times' "Mirage" tavern: <https://www.wbez.org/stories/the-mirage-a-fake-tavern-that-exposed-real-corruption-ten-bucks-at-a-time/9f9adc7e-38f5-418f-8383-e326adc359f4>

Profit and honesty – Staples, web traffic, links

- Duty to shareholders and duty to readers: Are they in conflict?
- Staples case
- Native advertising
 - John Oliver clip: http://www.youtube.com/watch?v=E_F5GxCwizc
- Web advertising/blogs
- **Other reading:** Ethics text, Chapter 13 ("The Business of News")

Personal conduct: bias, political affiliations, petitions, community involvement

- Reading: Ethics text, Chapter 14 ("Journalists and Their Communities")

The teacher:

Jim Newton is a veteran journalist and author. In 25 years at the *Los Angeles Times*, he was a reporter, editor, bureau chief, columnist and editor of the editorial pages. He is the recipient of numerous local and national awards and was part of two teams – one covering the 1992 Los Angeles riots and the other the 1994 Northridge earthquake – that were awarded the Pulitzer Prize for *The Times*. Previously, he was a reporter at *The Atlanta Constitution*, and he began his career as the 1985-86 clerk to *New York Times* columnist James Reston.

Newton is the author of three critically acclaimed best-sellers, *Justice for All: Earl Warren and the Nation He Made*, and *Eisenhower: The White House Years*. In 2014, he collaborated with former Secretary of Defense and CIA Director Leon Panetta on Panetta's autobiography, *Worthy Fights: A Memoir of Leadership in War and Peace*. It, too, won widespread praise and was a national best-seller. Newton's fourth book, tentatively entitled *Man of Tomorrow: The Relentless Life of California's Jerry Brown*, is scheduled for publication in spring of 2020.

At UCLA, Newton lectures in Communication Studies and Public Policy, and he is the founder and editor of *Blueprint*, a UCLA-based magazine that covers policy issues confronting Los Angeles and the rest of California. It debuted in June of 2015.

In 2005, Newton, working under the supervision of editor John Carroll, was the lead writer of *The Times* Ethics Guidelines.