The question of professionalism in media looms large within the overall landscape of ethical behavior. Professions are supposed to have strong ethical standards that, in some ways, set them apart from other occupations. At the same time, because these standards set them apart, the potential for deviation from societal norms is much greater. For example (assuming for the time being that journalism is a profession), a journalist is typically more obliged to gather a story than to become a part of it. That is how most journalists justify not interfering in a story—to come to someone’s aid, for instance. In fact, the long-held standard of noninterference is a mainstay in modern journalism, for without it, a journalist may lose his objectivity. However, professions carry with them much baggage. Licensing, restrictions on membership, codes of conduct, prescriptions for proper actions, all tend to put off working journalists. Thus, most journalists shy away from the notion of their occupation becoming a full profession. On the other hand, public relations has historically embraced the trappings of professionalism seeking to gain the respectability normally associated with other professions, such as law and medicine. Why the difference? In fact, why would any occupation want to become or not become a profession?

Before we begin to explore whether or not the various media are or should be professions, we must define—as much as possible—what a profession is. Perhaps the best way to tackle that question is to describe the characteristics common to most professions. Ethicist Michael Bayles sets down three central features and three secondary features that tend to be present in most professions.1

Central features

• Extensive training is usually required to practice within a profession. Most professions have academic degrees associated with them (law, medicine, engineering, nursing, and so on).

• The training involves a significant intellectual component. While occupations in general usually involve physical training, the professions also require intellectual training, which is usually predominant. This is especially important in the counseling professions such as law and medicine (and, perhaps, public relations). This provision of advice rather than “things” is a secondary characteristic of most professions.

• The result of the training is an ability that provides an important service to society. Most of the “traditional” professions provide services vital to the organized function of society (law, medicine, engineering, teaching). These services are necessary not only because they contribute to society in general, but also because not everyone in society is either willing or able to provide these services for themselves.

Secondary features

• Another common feature among professions is credentialing. Most professions have some method of certifying or licensing their members. Lawyers are admitted to the bar, physicians are granted licenses, as are
architects, engineers, and dentists. Not all professions are licensed, however. College teachers are granted advanced degrees but need not be licensed in any other way. Not all accountants are CPAs. However, what sets professions apart from other occupations are their credentials—usually a college degree, and in some cases, an advanced college degree. This type of credentialing refers back to the aspect of extensive training.

- A professional organization is also a common feature of most professions. These organizations usually strive to advance the goals of the profession and promote the economic well being of their members. However, the advancement of professional goals generally takes precedence over economic considerations. This is what sets professional organizations apart from trade unions, for instance.

- Finally, and very importantly, most professions stress autonomy among their members. Being able to perform work free from interference (especially from those with less expertise) is vital to being a successful professional. After all, most professionals are hired exactly because their expertise is needed. However, as Bayles points out, exactly how far that autonomy should extend is still an open question, and one that will be addressed in detail below.

ARE THE MEDIA PROFESSIONS?

It is important to distinguish between an occupation being a profession and undergoing professionalization. Becoming professionalized involves developing standards of performance and some training in them. As occupations move further toward professionalization, they may also develop organizations to represent them, core bodies of knowledge to intellectualize the field, and methods of credentialing to maintain standards of performance. While among the media fields only public relations freely admits to wanting to become a profession, both advertising and journalism contain elements of professions.

Most media occupations have relatively strong support organizations—in some cases, several. For example, public relations has both the Public Relations Society of America (PRSA) and the International Association of Business Communicators (IABC), with PRSA being the largest in the United States. Among the most influential of advertising professional organizations is the American Advertising Federation.

An established intellectual tradition coupled with a strong professional organization is a clear indicator of increasing professionalization among the media. With media internships on the rise, the practical and technical aspects of professionalism are included in the mix. On the final two criteria, credentialing and public service, there is still a great deal of disagreement. For example, neither licensing nor certification is required of any person working in the media. Exceptions would be trade associations and some affiliation (often, union membership) or certification for specialized technical work such as cinematography, directing, acting, and various other occupations associated primarily with the entertainment media. But for the “professions” of journalism, advertising, and public relations, there is no licensing.

Most advertisers, on the other hand, are more ambivalent about the notion of their business becoming a profession. Remember, advertising is different enough from journalism to require an entirely different communication model (information/persuasion versus pure information). In addition, most advertising performs an “agency” function. That is, advertisers work for clients who make the ultimate decisions concerning their products and how they are marketed. In other ways, however, advertising meets many of the criteria for becoming a profession. It has a fairly large professional organization that represents the field and a code of ethics. College degrees are offered in the study and practice of advertising, which requires that it have a learnable
intellectual component. However, advertisers are not licensed, nor is it clear that they have the same level of autonomy associated with other professions or that they provide an indispensable service to society in the way law and medicine do.

Public relations has been striving for fifty-plus years to gain acceptance as a profession. The founding of the Public Relations Society of America (PRSA) in 1948 presaged the steady rise of public relations from an occupation to a near-profession. While members of PRSA are not licensed, they are (voluntarily) accredited through a process similar to licensing. This accreditation, however, does not carry the weight of licensing. For example, a PRSA member who loses his accreditation may still practice public relations—unlike a physician who loses her license or an attorney who is disbarred. So, while public relations has most of the trappings of a profession, it is still struggling to develop and maintain enforceable standards in the same way as law and medicine. Of course, this does not mean that public relations is not a profession. We will return to that question at the end of this chapter.

Finally, among the three media industries we are concerned with here, there are several other distinctions associated with professionalism that affect their ethical positions. First, professionals may be either self-employed or employees of a larger organization. Most journalists, for instance, are employees, while many public relations practitioners are self-employed consultants. Advertisers are most often employees in an agency, as are many public relations people. Because self-employed individuals encounter different challenges than do employees, we can expect that ethical considerations will differ as well. For instance, self-employed consultants (as in public relations) must deal with the ethics of client acquisition and conflict of interest. Employed professionals, on the other hand, may have to deal more often with reconciling their professional ethics with the bottom-line mentality of their employer.3

Another distinction is between those professionals who have individuals as clients and those that have larger entities as clients. A journalist’s “clientele” is large and amorphous. A public relations practitioner may serve individuals, groups, or organizations. So may advertisers. Obviously, there is a great deal of variation, and each of the media professions may serve, alternately, individuals and groups/organizations—and be ethically obligated to each in different ways.

Service to society

One of the key features that differentiates a profession from an occupation is service to society as a whole. Certainly, it can be said that both law and medicine provide this service, but so also do professions such as engineering, dentistry, nursing, accounting, teaching, and many others. The question of service to the public or in the public interest is one that has concerned nearly all professions at one time or another. Answers have ranged from the ideological to the practical, and have taken the form of everything from token articles in codes of ethics to complete programs designed to carry out what many consider to be the premier obligation of a profession. The question is, How real is the discharge of this obligation?

Some have called this service orientation an ideology that maintains that “professionals adhere to the ideal of service to all of humanity.... They serve anyone in need regardless of monetary reward or the status of the client.”4 This service orientation has become the keystone among professional values, those commonly held beliefs that serve to cement individual practitioners into a single profession. And, while serving the public interest is not necessarily a criterion used to define professionalism, it is one of the most often cited values of professionalism.
According to ethicist Michael Bayles, professionals in our society are at the top in prestige, wealth, and power, and because they frequently make decisions that affect others,

The granting [by society] of a license and privilege in effect creates a trust for professionals to ensure that these activities are performed in a manner that preserves and promotes values in society.\(^5\)

The professions themselves often attempt to justify the respect with which society holds them and the level of support they in turn command from society by frequently citing the public service aspects of their roles. The animating purpose of a profession is to contribute maximally and efficiently to human welfare.... The same purpose (together with great interest in the work itself) is the motive of the true professional, not desire for compensation.... [T]he professionals’ aim is to serve mankind and they are expected to affirm (“profess”) this by accepting their professions’ codes of ethics.\(^6\)

**How can professions serve the public interest?**

There are some basic ways in which most professions attempt to serve the public interest. *First, a profession may serve the public interest in a general sense by simply “being there.”* This postulation is somewhat reminiscent of Adam Smith’s invisible hand, in which the effective functioning of a capitalistic economy ultimately serves all of society through discharge of its normal duties to maximize profits. However, while a successfully functioning economy may benefit as the result of a goal-oriented drive to maximize profits, professionals are generally assumed to be guided by an ethical imperative of service to the client—making the “hand” more visible, but nonetheless operative. Medicine and the law fall under this heading. Merely being available to the public, they serve the public welfare. Availability, of course, has led to serious debates over such topics as national health care and equal legal representation.

**Pro Bono Work**

A second way in which the public interest may be served is through *pro bono* work. Pro bono work is most commonly associated with the consulting professions. Pro bono literally means “for good,” and is supposed to be work carried out by professionals in the public interest. We often hear of attorneys and physicians taking on pro bono cases, usually those who cannot pay for their services. (That is why pro bono work is often thought of as being free of charge.) In fact, many in public relations and advertising also take on pro bono clients, often social service agencies or political causes viewed by most as being public-minded. However, Michael Bayles argues that such endeavors as lobbying and public interest activity do not completely fulfill the responsibility a profession has to act in the public interest, because the individual professionals are not serving the *public* interest, they are merely serving a *particular* interest—something that they are *personally* interested in. Thus, the public interest cannot be served by professionals working on behalf of any such singular interest or client, even if that client is a social service agency.\(^7\)

The reason is that professionals (especially those acting as agents) typically assume the role of advocate. This implies that the professional, under these circumstances, must remain an interested party, and as long as she favors one side of an issue or another, she cannot serve the public interest. For example, a public relations professional assuming pro bono work on behalf of a pro-choice interest group is really acting on behalf of the client—no matter how much that client may believe its actions are in the public interest. In the same way, public relations professionals working on behalf of a pro-life group espouse their client’s position. Both sides certainly are serving an interest, but neither can be said to be serving the *public* interest.

One way the advertising industry has managed profession-wide pro bono work is through the Advertising Council. Founded during the Second World War, the Advertising Council was composed of volunteer ad
agencies from around the country that dedicated their time and resources, free of charge, to promote national causes such as the sale of War Bonds and American Red Cross blood drives. Since that time, the Ad Council has continued to work on behalf of non-profit organizations by providing them with reduced-rate advertising services through its volunteer member agencies. Among its long-standing clients are the United Way and the forest fire prevention campaign featuring Smokey the Bear. Another similar example is the American Civil Liberties Union (ACLU) who historically takes on cases that involve Constitutional Amendments (particularly, the First Amendment). They represent, in a way, the urge of the legal profession towards pro bono work, and they take on cases regardless of public image. For example, they have represented both jailed journalists and the Ku Klux Klan. In this sense, the ACLU is not acting out of a personal like or dislike for the cause or the client, but out of a belief that any party deserves the protection afforded by the First Amendment.

What is clear is that the public interest must be served in order for any of the media industries to become true professions. Whether these practices can or even want to become professions is the subject of much debate, some discussed already. However, the inevitable obligations between the media practices and those they affect cannot be ignored, and one of the strengths of professionalism is that these relationships are carefully drawn and the obligations clearly defined. Let us turn, then, to a different approach to defining the relationship between the media practices and their moral claimants—one based on the professional ethics model.

THE PROFESSIONAL-CLIENT RELATIONSHIP

Much is often made of the distinction among advertising, public relations, and journalism. Advertising is most often viewed as an agency-based practice with advocacy on behalf of a client as its primary goal; public relations as a consulting practice, also with advocacy of a client as its goal; and journalism as a slightly paternalistic practice (in that it sets the news agenda) with the public interest at heart. Of course, each of these views is both partly correct and partly incorrect. One of the key elements of a profession is that it serves a client or customer. Physicians and dentists have patients, lawyers have clients, as do advertising and public relations. Teachers have students (increasingly thought of as customers). But the distinction between a client and a customer is a subtle and important one.

Client-professional decision-making models

One of the key ethical concerns of the professional-client relationship is that of balance. Who makes what decisions and for what reasons? The division of responsibility and accountability for decision making is what drives most professional-client relationships. Most models of this relationship fall into three categories: the client has most decision-making authority; the professional has most decision-making authority; the professional and client are equals. However, most professional models exist along a continuum with various degrees of professional-client involvement (see Figure 3.1). It is rare to find a relationship that is wholly client-controlled or one that is entirely controlled by the professional.

Advocacy and Agency

Both advertising and public relations can said to be advocacy-oriented practices. To advocate is to take up the cause of another and to work on that other’s behalf to promote that cause. Attorneys become advocates for client causes, “zealously” representing their interests. Part of the assumption of advocacy is that the advocate take up his client’s cause fully, without regard to his own feelings. An advocate uses his expertise to advance a
client’s cause. While counseling the client on the most effective course of action may certainly be a part of advocacy, most advocates proceed pretty much at the client’s behest. Thus, advocacy fits well into what is known as the “agency” model of professional-client relationship.

Under the agency model, a professional acts most often under the direction of the client. Advertisers, for instance, may put together elaborate campaigns to serve their client’s interests; however, the client picks the agency, determines the product to be marketed, and decides whether or not to use the ideas generated by the agency. Public relations agencies (or firms, as they are more commonly known) work pretty much in the same fashion. The agency model most clearly exemplifies what has been called the “ideology of advocacy.” This ideology assumes two principles of conduct: 1) that a professional is neutral or detached from the client’s purposes, and 2) that the professional is an aggressive partisan of the client working to advance the client’s ends. Such a construct allows the professional to absolve herself of moral responsibility for the client’s ethical shortcomings. Obviously, this ideology would work well for professions such as the law in which even unpopular causes would sometimes need to be defended. Without such an ideology, these causes might go unrepresented. But what about other professions such as advertising and public relations?

There are several reasons why the agency model is not suitable for most professions, including the media.

• First, as we have discussed in Chapters 1 and 2, media professionals are variously obligated. These obligations cannot be discharged properly if all decisions are left to the client. Despite the commonly voiced belief that the primary loyalty of advertisers and public relations practitioners is to the client, we know that serious moral concerns can arise from ignoring third parties.

• Second, the agency model seriously decreases professional autonomy. Most professionals would object strenuously to abdicating their decision-making authority.

• Finally, professionals may accept or reject clients who do not meet their moral standards. According to ethicist Michael Bayles, “Professionals must… be ethically free and responsible persons.”

On the second point, the dilution of decision-making authority is more common in larger organizations in which practitioners most often serve as employees rather than true professionals. However, even this reduction in autonomy does not reduce a media practitioner’s responsibility to act ethically—it only makes the lines of responsibility less clear. Less autonomous practitioners must also determine the ethicality of their actions; even though the major difference between them and their more independent counterparts, the degree of autonomy, may inhibit the degree to which the practitioner may object to actions he or she determines are less than ethical. Obviously, the independent counselor may advise, and thereby object, from a much stronger position than his counterparts subsumed either within an organization or an agency.

The Fiduciary Model

If paternalism represents the most professional control and agency represents the most client control, what then is an acceptable middle ground? Some have suggested the fiduciary model under which both parties are responsible for decision making and their judgments are given equal consideration. The professional is recognized for her expertise and training (both intellectual and practical), while the client is recognized as the driving force behind the professional’s activities. Under this construct, a consulting professional (such as an advertising or public relations practitioner) would take the client’s problem, canvass all possible solutions, present the most viable options along with cost/benefits of each, and make a recommendation based on profes-
sional expertise. Once the client makes the ultimate decision as to which path to pursue, then the professional must work diligently on the client’s behalf to carry out the chosen course of action.

This model allows clients as much freedom to determine how their lives are affected as is reasonably warranted on the basis of their ability to make decisions. However, the parties must recognize from the outset that there is a difference between them: The professional is usually at an advantage because she has a better grasp of how to handle certain situations. If this were not the case, the client would do the work for himself. Thus, the weaker party (client) depends upon the stronger party (professional) and so must trust the stronger party. According to Bayles, the professional has a special obligation to the client to ensure that the trust and reliance are justified. This obligation of trust is vital to all the media professions.

Trust and the Professional–Client Relationship

At the heart of the fiduciary model is the obligation of trust. Clients must feel that they can trust the professional who is acting, supposedly, in their best interest. As mentioned before, we typically relinquish various decision-making powers to others on a regular basis. We don’t want to worry about traffic patterns, the timing of intersection signals, disposing of our own garbage, and the myriad other tasks performed by others on our behalf. We trust that these jobs are being done competently. However, we don’t want to give over all our decision-making authority either. It is clear that professionals must engender trust in their constituencies in order to be allowed the autonomy they need to act on their educated judgments; and those judgments are what, in turn, perpetuate that trust.

Clients trust professionals to do what they are supposed to do. What they are supposed to do is defined both by the client and the professional. For example, contracts between public relations and advertising professionals and their clients stipulate what each will provide. On the other hand, the expectations between the press and the American people have been fairly commonly held over the years. And while those expectations may be, and probably are, changing, their implication is usually clear. Some of these expectations include:

- For consulting professionals, to use professional expertise to analyze the problem.
- To formulate alternative plans or courses of action and determine their probable consequences.
- To make recommendations, or carry out certain activities on behalf of the client.

In order to engender the trust needed for a successful fiduciary relationship, professionals generally must fulfill six obligations to their clients.12

Honesty

The client always expects that the professional will be honest with him. This would extend to others as well, since not being honest with others would necessarily reflect on the client as well. Being honest with clients might include recommending options that are legitimately in the client’s best interest, not just the professional’s (by providing for more work for the professional instead of leading to an immediate and successful conclusion for the client, for example). Honesty would also include not stealing from a client (by padding bills or providing unneeded services, for instance).

Candor

Candor refers more to truthful disclosure than to honesty. A professional could be dishonest yet open about it. In other words, a person can tell the truth about being dishonest. Some believe that candor is at the
heart of the professional-client relationship, at least for consulting professions. In those professions, including advertising and public relations, the client must be able to trust the professional to consult her and respect her informed judgment in all-important decisions. A client enters the relationship to receive information from the professional. If the professional withholds information he has reason to believe would influence his client’s judgment, he alters the agreement (i.e., he manipulates the client’s information so that her judgments conform to his own, paternalistic, model). Remember, we are not talking about disclosure to possible constituents other than the client here.

**Competence**

The most crucial characteristic of a professional is her ability to do what she claims she is capable of doing. It is unethical for professionals to hold themselves out to do or accept work they are not competent to handle; and, in fact, most professional codes require that professionals undertake only that work they are competent to perform and to continue learning in order to keep abreast of the field. This seems simple enough, especially for the consulting professions. An advertiser or public relations person should never claim to be able to provide a service he or she cannot provide; however, it is not that uncommon to hear of agencies of both types over-promising on capabilities or potential results. In the areas of advertising and public relations, agencies may be full-service (providing all the major types of service) or specialized (providing one or only a few types of service). To be the latter and to claim to be the former is to make a false claim concerning competence.

**Diligence—or zeal**

While diligence is closely related to competence, it is not the same thing. One can be competent but not diligent. Diligence refers to pursuing a client’s interest with vigor and intensity. Too often, professionals let important items slide—either due to laziness or to work pressures. A client realizes that a professional may have other clients, but that does not absolve him of serving her interests with diligence.

**Loyalty**

Loyalty is probably one of the most important differences among the media professions. *Loyalty* here refers only to that owed to the interests the professional is hired to serve, not to the client in all its dealings outside this relationship. And, there are limits to this obligation. The biggest problem associated with loyalty is determining the boundaries between a professional’s loyalty to a client and other responsibilities. For example, third-party obligations, as we defined them in Chapter 2, certainly affect the degree of loyalty owed a client. In addition, clients may expect only a loyalty that does not violate a professional’s other responsibilities. For instance, a client can’t expect a professional to commit illegal acts on his behalf.

**Fairness**

For the consulting professions, *fairness* can refer to equality of service given to various clients. For example, ignoring one client in order to favor another, higher paying, client is patently unfair. Fairness also refers to how clients are chosen by professionals (including serving clients regardless of race, religion, ethnic origin, or gender).
Discretion

Discretion usually refers to confidentiality. Underlying discretion is privacy, the control of information about oneself that others have. Consulting professionals generally maintain client confidentiality, and, in fact, confidentiality clauses in professional codes are among the most common. The importance of discretion to professions such as advertising and public relations is obvious. Many of the clients of these professions are in competitive businesses. Their business strategies, including their advertising and public relations plans, are as important as state secrets are to national governments.

CAN THE FIDUCIARY MODEL WORK?

If we consider the media to be professions, consulting or otherwise, then they need to operate from within a model that brings out the best they have to offer, and that encourages ethical consideration of their primary constituency. The fiduciary model does that. For advertising and public relations professionals, this model provides for a way to discharge professional obligations while retaining as much autonomy as possible in decision making. Autonomy allows the consulting professional to adhere more closely to professional standards of conduct. In addition, the element of trust, so vital to this approach, has to be developed and maintained through the pursuit and practice of ethical behavior on the part of the professional toward the client.

The provision of good advertising and public relations enables clients to be more effective in their pursuits. The fiduciary model requires that it be done right. If the media professions consider their roles from the perspective of this model, they are far more likely to realize their ethical obligations, both to clients and to others.

CODES

One of the strongest reasons for belonging to a profession is that certain behaviors, peculiar to that occupation, are spelled out and either encouraged or discouraged by its code. For many, a formal code of ethics provides a first line of defense against proposed unethical actions. It is a reference point for the profession as a whole and a sounding board against which to test options for action. Ethicist Richard Johannensen states “For some people, formal codes are a necessary mark of a true profession. For others, codes are worthless exercises in vagueness, irrelevance, and slick public relations.”

Media ethicist Philip Meyer, for example, suggests that the main benefit of codes lies in the work of “articulating a professional group’s values” which, in turn, forces it to think about those values. Not only is the thinking of the members of the profession clarified through this analysis and articulation, but also the group’s standards are clarified for outsiders. However, there is some question as to how valuable codes actually are. As Meyer has stated, “Written codes are often criticized for being of little help in making decisions. The values they list are obvious values, the behaviors enjoined are clearly bad behaviors” Speaking specifically of journalism codes, Meyer calls them “lacking in muscle,” and “full of glittering generalities.”

Can codes be useful? Is there a way to codify professional values and principles that will result in useful guidelines for real-life practitioners? Johannessen thinks so. He argues that, despite the many problems pointed out concerning professional codes, “many of these objections might be lessened or removed.” He offers the following list of how professional codes function as useful guidelines for practitioners.
1. Codes can educate new persons in a profession or business by acquainting them with guidelines for ethical responsibility based on the experience of predecessors and by sensitizing them to ethical problems specific to their field.

2. Codes can narrow the problematic areas with which a person has to struggle.

3. The very process of developing the formal code can be a healthy one that forces participants to reflect on their goal, on means allowable to achieve those, and on their obligations to all claimants.

4. An effective and voluntary code may minimize the need for cumbersome and intrusive governmental regulations.

5. Code provisions can be cited as justification for saying no to a communication practice requested by peers or employers.

6. Codes provide an argumentative function. They can serve as a starting point to stimulate professional and public scrutiny of and debate over major ethical quandaries in a field.

7. There is a range of argumentative claims that critics or defenders of a communication practice might use to assess ethically in light of a code. It could be argued that a particular practice:
   - clearly is contrary to a precise, relevant, well-justified code;
   - is ethically suspect even though it falls outside the boundaries of any established code;
   - is ethical because the code invoked is irrelevant or inappropriate; is unethical because, while the strict letter of the code was honored, the spirit of the code was violated;
   - is ethical because key terms of the code are too vague and ambiguous for precise or meaningful application;
   - is ethically justified because one applicable code is superceded by another relevant code, or because higher values take precedence over the formal code;
   - is ethical because the facts of the situation, including intent and context, are unclear;
   - and should be judged primarily by legal statues rather than by an ethical code.

Codes should be seen as having a function not just of serving as rules of behavior, but primarily as establishing expectations for character. In other words, codes reflect a wide range of character traits necessary for someone to be a professional.\textsuperscript{16}

Johannessen also cites eleven guidelines gleaned from a close reading of several scholars who have also studied codes of ethics.

1. The code should clearly differentiate between ideal goals and minimum conditions. \textit{Ideal goals} are to be striven for but not necessarily always attained. \textit{Minimum conditions} must be met in order for a practitioner to be considered ethical.

2. Neither heroic virtue nor extreme sacrifice should be expected by the code. Codes should be written for ordinary persons functioning under ordinary conditions.

3. Language should be clear and specific, free from ambiguity. Key terms should be defined, by analogy if necessary.
4. Provisions of the code should be logically coherent. The order and priority of the provisions should be clear, especially as regards the order in which obligations should be honored among the various claimants.

5. The code should protect the general public interest and that of all claimants with a stake in the decisions of the professional following the code. The code should make it clear that the profession should never profit at the expense of the public interest.

6. Provisions should go beyond the obvious ethical violations to focus on the potential problems that are unique to the profession for whom the code is devised. For example, a public relations code might accentuate the potential for conflict between the client’s interest and the public’s.

7. A code should make provision for growth and revision—in fact, encourage it. No code should be seen as “carved in stone.”

8. The code should make clear which of its admonitions refer to individual action and which to the profession as a whole.

9. The code should declare the moral bases on which it is founded. Most media codes, for example, cite truth as their guiding principle.

10. As many members as possible should participate in the formulation of the code, from every level within the profession.

11. The code must be enforceable and enforced. A code without “teeth” is a weak or even useless code. Finally, Johannesen points to two of the most important functions of codes. The first, and not always the most obvious, is a code’s argumentative function. Codes can serve as touchstones for debate, providing the public with a reference point from which to criticize a profession’s actions. A code can also serve as a defense against being asked to do something that goes against its provisions, or used to develop policy, or serve as an ethical focus for an organization or profession.

12. The second important function of a code is to depict the ideal character of the professional for whom the code is written. In the words of Karen Lebacqz, author of Professional Ethics, a “professional is called not simply to do something but to be something.” This goes beyond the common view of a code as simply a set of guidelines for professionals to follow. It speaks directly to character, an issue we will take up later in some detail.

**How to construct a code of ethics**

Constructing a code of ethics is not an easy job, but it can be educational and, ultimately, useful. Following are two sets of guidelines gleaned from experts on the topic.

In an article written for the Center for the Study of Ethics in the Professions, Andrew Olsen provides some preliminary suggestions for developing a code of ethics for professional associations.

1. A helpful way to start any project of significant size is with a statement of purpose. Begin writing a code of ethics by asking yourself and members of your organization, “Why does my (our) organization want to develop a code of ethics?” Generally speaking, it seems that codes of ethics with a clearly defined purpose are more clearly stated and better organized.

2. Many codes make effective use of defining a purpose by beginning the document with a preamble or a statement of intent. The preamble sets the tone of the document and outlines both the purpose of
the organization and the purpose of the code. The *statement of intent* fulfills a similar purpose, but it focuses more on the purpose of the code and less on the purpose of the organization than does a *preamble*. Both are good ways to set the tone of the code and to establish a feel of cohesion within the group that is essential to the proper functioning of a code.

3. To assure that a code of ethics functions properly, the group or a representative body of the group must formulate it. Writing a properly functioning code of ethics is a collective task. Without a reasonable amount of group consensus concerning morally permissible standards of conduct relevant to the group, the code finds its home scribbled on a sheet of paper rather than in the actions and decisions of members of the group.

4. To counter the argument that codes of ethics are merely well meaning statements on a rarely seen and even less frequently and effectively implemented document, a code of ethics must truly reflect the virtues of the group. Through a process of achieving consensus, writing a code of ethics becomes an excellent group-defining task. Consequently, a well-defined membership in the group, an outcome of devising and publicizing a code, aids in the functioning of the code. Through identification as a member of the group, a member’s sense of duty to other members of the group and to the group’s collective agreements expressed in the code is strengthened. As a result, the effectiveness of the code of ethics is also strengthened.

5. Here are some questions one might consider when deciding what should be included in the code:
   - Who are the persons or groups of persons affected by your organization or the members of your organization, and how are they prioritized?
   - What are your organization’s main areas of action?
   - What unethical decisions and actions would your organization like to prevent, and how could they be prevented?
   - What type of ethical problems are members of your organization most likely to encounter?
   - How can conflicting principles be resolved?

6. After your organization has answered these questions and formulated what needs to be included in the organization’s code of ethics, the next step is to decide how to organize the code.

7. Just as principles within a code differ from group to group, so too, methods of organization differ from group to group. Factors that may affect how a group organizes its code could include such aspects as length of the code, how statements for inclusion in the code were formulated, and with what form of organization are members of your group most familiar. For example, if there is a small amount of information to be included in the code, then a simple ordered list may be the most appropriate method of organization. On the other hand, if there is a large amount of information to be included in the code, then more structured methods of organization may be most appropriate. For instance, if relationships were a major consideration in the formulation of statements, then it seems most appropriate to organize the code according to relationships. However, if relationships were not a major consideration but principles were a major consideration, then it seems most appropriate to organize the code according to principles and guidelines for the principles. The concept is rather simple, but it is mentioned here because its importance outweighs its simplicity.

8. Most codes can be placed into one of three commonly occurring categories.
• The codes in the first category, *brief codes*, have a small list of statements that rarely have much structure at all. However, even a small list of statements can provide guidance to members of a group if consideration is given to how the list can be prioritized.

• Other groups use the descending form: *Preamble/Statement of Intent, Fundamental Principles, Fundamental Canons,* and *Guidelines for the Principles and Canons.* This form centers on each principle individually and applies the principle to many relationships that members of the group may encounter.

• In contrast, another common form of organization of well-developed codes is one that highlights relationships between the group or member(s) of the group and other groups of society such as the public, clients, or employers. Such methods of organization often divide the code into sections that begin with such headings as *Relations/Obligations to the . . .* followed by a list of standards and guiding statements relevant to the relationship.

9. A code of ethics is a means of uniquely expressing a group’s collective commitment to a specific set of standards of conduct while offering guidance in how to best follow those codes. As such, authors of a code of ethics should explore methods of organizing a code and use of language in the code that will be well received by the codes’ intended participants.

10. In addition, if one’s group closely identifies itself and its work with the people involved, then a code of ethics that follows the relationship model above may be most appropriate. However, if one’s group more closely identifies itself and its work with concepts and principles of the occupation, then a code of ethics that follows the descending principles model may be most appropriate. In either case, the code should both state the principles and offer guidance in how the principles should be followed. Giving guidance encourages participants in the code to develop and practice moral reasoning based on the collectively agreed-upon principles of the group enumerated in the code.

11. When writing a code of ethics, the code’s authors must compose the code with a finely tuned attention to balance. A good code is written with the awareness that the code will be used in a variety of different situations, and each situation will prompt those involved to refer to the code for specific guidance. This presents an interesting challenge to the code’s authors who must write the code with enough information to be of use in the specifics of a situation while remaining general enough to be used for a wide variety of situations.

12. It is most likely this challenge that has prompted many authors to extend their code of ethics with sections entitled *Suggested Guidelines for use with the Fundamental Canons of Ethics, Standards of Practice,* or *Rules and Procedures.* In such sections, the authors attempt to foresee situations one might encounter that call for ethical considerations. Within these sections, the authors describe how one should interpret the principles of the code of ethics pertaining to one’s specific situation. In many instances these guidelines will attempt to provide guidance on how to resolve conflicting principles. It is likely that these additional sections will add some time and effort to the writing process. However, much of what will be included in an additional “guidelines” section should surface in the initial brainstorming and writing process.

**Considerations for writing a code of ethics**

Chris MacDonald, who teaches philosophy at Saint Mary’s University in Halifax, Nova Scotia, provides us with another take on constructing a code for individual organizations.

Most major corporations, and many smaller companies, now have Codes of Ethics, along with a range of other, issue-specific ethics documents. Such a document embodies the ethical commitments of your organiza-
tion; it tells the world who you are, what you stand for, and what to expect when conducting business with you. The content of a Code, and the process for writing it, can vary quite a lot, but here are some of the standard issues to consider.

1. **Tailor-make your code.** Ideally, a Code of Ethics should be custom-made for your organization. Ask yourself, what makes your Code specific to your organization? Is there anything that differentiates it from similar documents devised other firms in your field, or in other fields? If not, what makes it your Code, other than the fact that your logo is at the top?

2. **Get employees involved.** The people who will be guided by the code should be actively involved in writing it. If your organization is too large to get everyone involved, consider selecting representatives from various departments or various business units. The document is bound to be more meaningful, and find higher levels of acceptance, if employees are part of the process.

3. **Consult key stakeholders.** It’s a good idea to consult key stakeholders—including, for example, customers, suppliers, and local community groups—as to what they think should be in your Code. This will help reveal what important external constituencies see as your key obligations, and will help make sure that the Code you write deals with the full range of issues that might confront your organization.

4. **Outsource the job only carefully.** Hiring a consultant to help write your code can be useful—but don’t let them take over. A consultant can bring a wealth of knowledge and experience, and can help you avoid a whole range of pitfalls, from lack of clarity through to the inclusion of too little—or too much—detail. But at the end of the day, this Code is still yours: it should reflect your organization’s values, principles, and aspirations.

5. **Seek out good examples.** If you’re writing your own code, begin by looking at relevant examples. There are lots of good Codes out there (a quick internet search can be very revealing.) A code that is simply copied from another organization is unlikely to provide either effective guidance or inspiration—but there’s also no point in reinventing the wheel.

6. **Be clear about Scope.** Your Code should make clear who within your organization will be governed by it. Does it cover everyone from the mailroom through to the boardroom? Only senior managers? Who has to sign off on it? Keep in mind that lower-level employees may not take very seriously a document that senior managers either aren’t bound by, or take lightly.

7. **Be specific about implementation.** How will the Code be implemented? Once it’s written, will it gather dust, or will it influence policy and practice? What procedures are in place to make sure that writing a Code is more than just organizational navel-gazing? An effective implementation scheme (perhaps as an appendix to the Code) will explain to all concerned how the values embodied in your Code will be put into practice.

8. **Plan for education.** A key aspect of implementation has to be employee training and education. How will employees be educated about the Code? A Code can only be effective if your employees know about it. Will new employees receive training regarding the Code’s requirements? Will current employees receive refresher courses? Especially for large organizations, the steps required to train employees on the requirements of a Code deserve special attention.

9. **Be clear about enforcement.** How, if at all, will the Code be enforced? Are there specific penalties for violating the Code, or is the Code merely there to provide guidance? Who will decide when an employee has violated the Code—will that be up to the employees’ immediate supervisor, or will that be the exclusive domain of senior managers?
10. **Specify a sunset date.** When will the code be reviewed and updated? Times change, and new issues come to light, so consider specifying a date for revising and refreshing your Code.

**PROFESSION VERSUS PROFESSIONALISM: IF IT WALKS LIKE A DUCK…**

Do the media need to be professions? Maybe not, but there are certainly benefits that can be derived from acting like professionals. As already mentioned, professionals garner more respect that other occupations. They are often paid more and have a higher level of prestige within our society. Despite the common jokes about doctors and lawyers, they are still held in rather high esteem by the rest of us. To be a professional, in this sense, is to have entrée into that realm. In addition to the prestige associated with professionalism is the more important concern of how professionals are supposed to act. Professionals are assumed to be held to a higher set of standards than other occupations; and while we certainly find much fault with the professions, it is probably because of this increased expectation that we do so. Being a professional assumes a level of ethicality beyond that of societal norms—certainly different, but also enhanced.

As we have seen, the media “professions” all have professional societies, codes of ethics, intellectual bodies of knowledge, some degree of credentialing, and a prescribed level of practical expertise in their fields. They also bear the obligation of service in the public interest. The discharge of this service may be in some doubt (both in the ideal and the execution), but the expectation is still there.

In short, the media may garner the benefits of professionalism by merely acting as if they were professions. However, this façade has its price. In order to be considered professional, we must act professionally, and that means observing the dictates of professional behavior—including its ethical imperatives. The payoff is that the media gain a modicum of respect that other occupations do not have. And it’s not that the “public” doesn’t recognize professional activity when they see it. Paparazzi don’t strike many of us as “professional” photographers in the way that photojournalists do. Neither do tabloid reporters compare favorably with those who work for *The New York Times*, or the *Washington Post*. The difference is professionalism—and professionalism implies a higher standard of behavior. We cannot have the one without the other.
NOTES

2 Ibid.
3 Ibid., 10.
5 Bayles, 112.
6 Kultgen, 62.
7 Bayles, 117.
8 For a thorough discussion of the professional-client relationship, see Bayles, *Professional Ethics*, 70–100.
11 Bayles, 72.
12 Bayles, 79–100.
16 Ibid.
17 Ibid.
18 Ibid.
21 Chris MacDonald, Ph.D. – Chris MacDonald teaches philosophy at Saint Mary’s University in Halifax, Nova Scotia, Canada. He has published on a wide range of topics in ethics, ranging from business ethics and professional ethics through health-care ethics and ethical issues in new technologies. He also runs the world’s largest ethics bookstore, which can be found on-line at http://www.ethicsweb.ca/books, as well as a popular webpage on Codes of Ethics, at http://www.ethicsweb.ca/codes.