

CHAPTER 11

Ethics and Public Relations

Honesty is often the best policy, but sometimes the appearance of it is worth six of it.
— Mark Twain

What is Public Relations?

That's not an easy question to answer. If you were to think that public relations is about putting a client's best foot forward, you'd be right. If you proposed that public relations is about dealing with the media (keeping your client's name either in the media or out of it), you'd be right as well. If you believed that public relations is helping clients and organizations get along with their constituencies, you'd be right again. In fact, public relations can involve all of these and more. Public relations involves everything from planning complex communications campaigns to writing a letter to the editor. It involves any activity that enhances the reputation of your client, mediates disputes between various publics and your client, helps to achieve mutual understanding among all parties involved in an issue, advocates on behalf of a client or cause, provides guidance and direction, and results in positive and mutual well-being.

In fact, modern public relations is an eclectic package encompassing a great many job descriptions, titles, and functions. The federal government even forbids the use of the term "public relations" to refer to roles whose functions in the business world would be identical. The practice is rife with terms synonymous with, yet subtly different from, "public relations." "Press agency," for instance, is usually taken to mean the role of providing media exposure, whereas "promotion" combines media exposure with persuasion. "Public affairs" most often refers to those who deal with community or government relations; and the federal government's chosen replacement term is "public information."

Whatever definition you choose to describe public relations, it is always about communication and, as we have seen, there are a great many ethical considerations involved in the communicative act. Many would say that public relations is a breeding ground for unethical behavior; however, that would be a gross generalization at best and literally misleading at worst.

What's Good about Public Relations?

Nearly 30 years ago, Apple computers ran a campaign for the, then new, Macintosh computer. Its slogan was, “For every voice, a means to be heard.” For many in public relations, this is the goal of the practice. Despite the fact that most people when they hear the phrase “public relations” think of corporate coverups and government spin, a great many others know that public relations, like persuasion in general, is only a tool. It’s the purpose you put it to that dictates its morality. For example, the goal of socially responsible public relations is to better society by, among other things, allowing disparate voices the opportunity to join in the conversation. Certainly, this is true in a literal sense, because most of what we call “social service” organizations (the Red Cross, Greenpeace, Doctors Without Borders, etc.) have public relations functions that project their voices globally, and pitch their messages of a world motivated by compassion. From 1996 to 2006, the number of charitable non-profit organizations (NPOs) in the United States alone grew 69 percent, to nearly 100,000. And they all use public relations in some form to get out their messages. For instance, a 2004 study showed that the 100 largest NPOs in the U.S. were effectively using the internet to “present traditional public relations materials and connect with publics.”¹

A good international example is non-governmental organizations (NGOs). These are typically, but not exclusively, organizations created privately, frequently volunteer-based, that often deal with humanitarian issues in developing countries. The World Bank categorizes them into “operational” (those that work in delivering services, such as medical aid or food, or develop service programs on-site) and “advocacy” (those that promote a cause through typical public relations tactics). Most NGOs, especially those engaged in advocacy, couldn’t survive without public relations. They must maintain an ongoing and positive relationship with their various publics in order to be successful. Depending on the focus of the NGO, typical public relations goals might be fundraising, political awareness and influence, recognition of social causes, etc. Among the numerous examples of NGOs are Amnesty International and the International Committee of the Red Cross.

In addition, it would be fair to say that the ideal of public relations, whether for profit-making or non-profit organizations, is to build relationships among constituents that will help the organization fulfill its goals—goals hopefully designed to benefit not just the organization, but also the various publics it serves. After all, organizations exist to provide either a product or service, which implies that is something the public needs or wants. Good public relations should make delivery of those products and services run more smoothly by keeping the overall image of the organization in good shape. Ideally, successful, ethical public relations will help both the organization and its publics achieve their mutual goals. In order to accomplish this, the ethical imperative of public relations has to be congruency between reality and image. In other words, what public relations says about a client or organization must match what is really going on.

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One way to look at the paradigm of image versus reality is to view the three elements that make up successful and ethical public relations as regards image construction and maintenance. First is the reality itself—what the client or organization actually is, its product or services, its environmental practices, relationship with employees, the community, etc. Second is what it says about those things through its public relations. Third is what receivers of the message believe the client or organization to be. So, there are several possibilities:

- If the reality of the client or organization matches (is congruent with) the message it produces by its communication about itself, and the receivers of the message believe it, that would represent ethical and successful public relations.
- If the reality of the client or organization matches (is congruent with) the message it produces in its communication about itself, and the receivers of the message do not believe it, that would represent ethical public relations— but not necessarily successful public relations.
- If the reality of the client or organization is intentionally not represented accurately by its communication about itself, then the public relations is unethical, whether the receivers of the message believe it or not. This is the worst case as far as public relations ethics goes. And the worst part of the case is that, if the receivers believe the inaccurate information to be accurate, there are those clients, and their public relations representatives, who will still think they did a “good job.” (See Figure 11.1)

WHAT YOUR CLIENT/ PRODUCT REALLY IS				
WHAT YOU SAY YOUR CLIENT/ PRODUCT IS				
WHAT PEOPLE BELIEVE YOUR CLIENT/ PRODUCT TO BE				
	ETHICAL, SUCCESSFUL COMMUNICATION	ETHICAL, UNSUCCESSFUL COMMUNICATION	UNETHICAL, SUCCESSFUL COMMUNICATION	UNETHICAL, UNSUCCESSFUL COMMUNICATION

Figure 11.1: Image Congruency Model. Where the icons don’t match there is a lack of congruency, which means either the message is unsuccessful or untruthful.

So, What’s the Problem?

Two primary concerns come up when people complain about public relations: It has too much influence on the news media, and it’s just plain deceptive by

nature (the final possibility in the paradigm of reality versus image above). On the first count, public relations does influence news—sometimes in positive ways, and sometimes in purely self-serving ways. Estimates have varied over the years of how much of what we see and hear on the news is prompted by public relations; whatever the number, it's probably a big one. We shouldn't assume that the "influence" is all bad, however. Business editors, for example, have to fill their pages some way, as do financial publications, and the myriad "trade publications" that serve everyone from golf aficionados to computer geeks (think *Golf Digest* or *Macworld* here). Companies such as PR Newswire and Business Wire make a living delivering public relations driven information to thousands of news outlets around the world every day. Their clients foot the bill—the media get the service for free. On the one hand, public relations information such as this can be one of many sources journalists use for background into stories they are researching. On the other hand, the pure information overload can be distracting, and tempting. Although most journalists and editors assiduously edit information originating from public relations practitioners, the need to fill time and space is a very real one.

Research by journalism and advertising professors Jim Upshaw and David Koranda suggest that non-editorial content is beginning to seep into television newscasts. They found that 90 percent of the 294 newscasts they analyzed had at least one instance per newscast of what they called "stealth advertising." Overall, they found 750 instances of "commercial influences," about 2.5 per newscast averaging 1-minute 42-seconds long.² What they were looking for was advertising; however, what they found was much closer to what is being discussed here. Their examples were composed, to a great extent, of what this book classifies as public relations. This is not an uncommon phenomenon among academics and others unfamiliar with the distinctions between PR and advertising. In fact, it might be said that much of what is transpiring in advertising today, especially on the internet, is actually public relations. That's the claim from the marketing consultants Al Ries and Laura Ries, whose book *The Fall of Advertising and the Rise of PR* is based on the premise that public relations has the ability to generate discussion about a product, as publicity (which is generally free).³ This is referred to these days as "buzz." They make a number of points that are salient to our discussion here.

- Advertising draws attention to a product. It tells you what it is. PR insinuates messages about the product into the conversation going on in the real world beyond advertising. For example, you may see a new product advertised heavily on TV, and then start to see seemingly unprompted blog postings from users talking about the product. Chances are, the postings aren't entirely unprompted. They're part of a PR product publicity campaign.
- Advertising shouts its message. PR whispers. It's about information, albeit usually intentionally filtered, that aids the consumer in making a purchase decision. This is part of what is known as the diffusion process.

The theory of diffusion suggests that the adoption process goes through several stages ranging from the initial attention-getting stage

through to the final reinforcement stage (following adoption). Advertising usually takes care of the first stage and the last. Everything else can, and often does, involve public relations. An important part of the process involves talking about the product or idea with other people who are asking the same questions or have already tried it themselves.

- Public relations tends to be “other directed.” That is, its messages are passed on—through the media by means of positive publicity, and, increasingly, through word of mouth via consumers. Because public relations messages are often passed through intermediaries to end-users of the information (consumers), the credibility is usually higher. If you hear about a new product through the news media, you will attach more credibility to the product itself. The same goes for if you get it from friends and neighbors, even if they are “friends” only in a broad, Facebook sense.

When a small-town newscast includes information about a local company hiring 200 people, it is news. When the bulk of the story comes from the local company, including interviews with the CEO, other officers, and new employees, public relations is going to be involved at some point. The fact the new company gets positive press makes the story successful public relations. Because the story is newsworthy, it's news. The danger comes when journalists and editors rely too heavily on public relations-generated information.

As we will see later in this chapter, transparency is the key. Public relations *masquerading* as news is unethical. If viewers and readers *know* it is public relations, it's ethical. Openness and disclosure are vital. Although public relations may certainly influence news, PR people often view it as their jobs to try to do so. Journalists, on the other hand, need to be cautious in relying too heavily on pre-packaged “news.”

Another area in which public relations attempts to influence news is in the coverage of negative news about a client. An old adage used to be that the primary job of PR was to keep the client's name out of the paper. Today, that usually means only if it becomes associated with bad news. There is no denying that the job of *media relations* (a specific function within public relations) involves both getting good news out and dealing with bad news when it happens. Obviously, the most ethical approach to dealing with bad news (if it's true) is to admit it, say what your client is going to do to rectify the situation, and move on. However, as we will see later in this chapter, some who work in public relations don't always see ethical problems when they occur (moral myopia from Chapter 4), or are hired simply to deal with them in the most efficacious way for the client, and only the client.

These “spin doctors” put the best face possible on a negative situation using techniques that can generally be classified as a type of equivocation. *Equivocation* is essentially the use of ambiguous language to either conceal the truth of something or to avoid admitting to a wrongdoing. Examples of this approach are: responding to journalist's inquiry by referring to an accusation as “ridiculous” or “absurd” without actually stating why, or impugning the source of the accusation, or refusing to respond at all by seeming to be offended by the very idea of being accused (e.g., “I'm not going to dignify that with a re-

sponse”). All of these techniques are really dodges of the truth, and irritants for journalists. Technically, equivocation is not lying, but it is deceptive. Which is not to say that public relations people don’t ever lie outright—and that brings up our second major complaint.

In 2000, the industry trade publication *PRWeek* presented the findings of a survey of 1,700 public relations executives asking about the ethics of the PR industry. The headline on the story read, “One out of Four Pros Admits to Lying on Job.” The survey showed that 25 percent of the executives admitted they lied on the job, and 39 percent said they had exaggerated the truth.⁴ These were tough findings for an industry forever in need of polishing its own image. Of course, the respondents on the survey were probably referring to everything from small, “white” lies to deception through withholding information. And, although all lies are unethical by nature, some, as the philosopher Sissela Bok noted, are far worse than others. What follows here is one of the most talked-about instances of public relations deception in the past 25 years. It represents what ethical public relations is decidedly *not* about.

How Public Relations Helped Start the First Gulf War

On August 2, 1990, Iraqi troops invaded Kuwait. By January 1991, a coalition of international forces, including the United States, engaged the Iraqi military, and by February the First Gulf War was over. In hindsight, it seems simpler than it actually was. Although the United Nations officially sanctioned military action against Iraq, the success of selling the idea to the American public wasn’t a foregone conclusion. Even though polls conducted following the war showed a high level of support (around 80 percent), at the time of the Iraqi invasion and subsequent buildup and engagement by American and coalition forces, support hovered at around 50 percent or less.⁵ What wasn’t so clear is how the American public arrived at such a high level of support in such a short period of time. There are more than a few, including many in the public relations industry, who believe it was PR that tipped the scales.

In a public hearing of Congress’s Human Rights Caucus on October 10, 1990, a 15-year-old Kuwaiti girl named Nayirah presented some startling testimony. She said she had seen Iraqi soldiers remove babies from hospital incubators, leaving them to die on the floor. Her stunning testimony was repeated worldwide and cited frequently in the ensuing national debate in the U.S. over whether to commit American troops to the Middle East conflict. President George H. W. Bush mentioned it frequently as he drummed up support for military action. As journalist Ted Rowse put it two years later, “It was a major factor in building public backing for war.”⁶ Shortly after the war ended, however, NBC news interviewed Kuwaiti hospital officials who flatly denied any such thing had ever happened.

Almost a year later, a story by *Harper's* magazine publisher John R. MacArthur appearing on *The New York Times* op-ed page revealed that Nayirah was the daughter of the Kuwaiti ambassador to the U.S. and had not even been in Kuwait at the time she claimed the atrocities occurred.⁷ It seems that all of this had been part of a complex public relations campaign mounted by Hill & Knowlton (HK)—at the time, the world's largest PR firm. HK had been talking with the government of Kuwait since just after the Iraqi invasion began and had taken over the operation of a “front” group called Citizens for a Free Kuwait, financed almost entirely by the government of Kuwait (which also paid HK \$11.5 million to get its message out). Thanks in large part to HK's public relations campaign on behalf of the Kuwaiti government, the United States entered the war, on a 52–47 vote. Although HK denied any wrongdoing, observers both inside and outside the field of public relations have denounced the use of deception, and it has become a case study in what not to do if you want to be considered ethical.

What follows next is an examination of some of the ways experts in public relations ethics have considered the problems covered here, and more.

Ethical Approaches Specific to Public Relations

During the past 40 years or so, those in the field of public relations, both practitioners and academics, have been fairly self-reflexive in addressing their own ethical issues. Next to news journalism, public relations is probably the most aggressive in pursuing a working “ethic” of proper behavior. This is probably on account of its drive toward professionalism, as detailed in Chapter 3. Serious philosophical research into public relations ethics has been going on since at least the 1980s, and has increased over time.

Much of this research incorporates elements of the classical theories of moral philosophy discussed earlier in this book. In addition, there are a number of theoretical approaches that have been suggested over the years that are specific to the nuances of the practice of public relations. Following are some of those.

Five Baselines for Justifying Persuasion

Ethicist Sherry Baker outlines several different models that she says are most often used to justify persuasive communication. They range from the questionable to the ethically useful. Among the ethically useful models are the following:⁸

- **Enlightened Self-interest:** Under this model, the interests of both the client and the professional are assumed to be best served by ethical behavior. Businesses do well (financially) by doing good (ethically),

which makes good business sense and can give a corporation a competitive edge. Thus, the message is that businesses should therefore engage in good deeds and ethical behavior.

- **Social Responsibility:** Corporations have a responsibility to the societies in which they operate and from which they profit; they have obligations of good citizenship in contributing positively to the social, political, environmental, and economic health of society.
- **Kingdom of Ends:** This model is based on the philosophy of Immanuel Kant, and even borrows its name directly from one of Kant's major concepts—respect for persons. Individuals treat others as they would wish to be treated and as others would wish to be treated, which means PR practitioners take responsibility for the moral conduct of the organizations with which they work.

Responsible Advocacy

This theory of public relations proposes that the best way to practice public relations ethics is through the ideal of professional responsibility. According to Kathy Fitzpatrick and Candace Gauthier, “Modern day public relations efforts include both self-interested persuasive tactics as well as genuinely benevolent initiatives.”⁹ Three principles that could provide the foundation for a theory of professional responsibility in public relations are:

- **The comparison of harms and benefits:** Harms should be avoided, or at least minimized, and benefits promoted at the least possible cost in terms of harms.
- **Respect for persons:** Persons should be treated with respect and dignity.
- **Distributive justice:** The benefits and burdens of any action or policy should be distributed as fairly as possible.

Like Ross's *prima facie* duties, these are principles that hold generally unless they conflict with one another. However, moral dilemmas often involve conflicts between the principles. In these cases, the decision maker must employ his or her own values, moral intuition, and character to determine which principle is most important and most controlling in the particular context.

Two-way Communication and the “Corporate Conscience”

James Grunig proposes a model of two-way, symmetrical communication as the best way to achieve ethical decisions based on the following assumptions.¹⁰ The basic rationale for this approach is:

- Collaboration, working jointly with others, is a key value in ethical decisions.
- The process of dialogue with different people allows for both listening and arguing.
- Not everyone will get what they want, but dialogue will lead to the most ethical outcome.

This approach requires public relations practitioners to balance their role as advocate for their client with their role as *social conscience*. It also assumes that organizations will be voluntarily socially responsible instead of egoistic.

Grunig's theoretical approach, and many who use this approach as a basis for their own, assumes that public relations will become the "conscience" of an organization. The rationale is that, because of PR's responsibility for maintaining communication linkages with corporate constituents, it is in a unique position to understand the myriad points of view presented by these publics. Generally speaking, other elements within an organization have a less holistic view of these publics. So, it makes sense to locate the "corporate conscience" within the public relations function.

Moral Myopia: The PR Version

Remember the discussion of *Moral Myopia* in Chapter 4? It's not limited to just advertising professionals. Ethics scholar Shannon Bowen's research believes that there are potential problems with assigning the role of "corporate conscience" to public relations practitioners.¹¹ In her study, a number of public relations practitioners were questioned using a combination of personal interviews and focus groups. The findings showed two fairly distinct and "entrenched" categories of practitioners when it came to the role of public relations, especially that of ethical counselor: those who were "anti-ethical" and those who were "pro-ethical."¹² Bowen describes the results this way:

Anti-ethical conscience role practitioners are often in favor of a professional perspective relying on codes of ethics or legalism [it's not about ethics; it's about what's legal]. They do not see ethics as germane to public relations counsel. Many public relations practitioners cite the fact that they do not have any training in ethics, feel ill-equipped to counsel others on such issues, or simply believe it is a matter better left to legal counsel. Others report that their reluctance stems from lack of access to the dominant coalition [primary organizational decision makers] or from an overwhelming number of other job responsibilities.¹³

Members of this group tended not to recall many ethical dilemmas. Bowen suggests that this could result from either an actual lack of ethical problems or an inability to recognize one when they encountered it. (Similar findings crop up in advertising as well, as explained in Chapters 4 and 9.) Those who viewed public relations as an advocacy function or a purely professional endeavor showed little desire to take on an ethics role. A contributing factor seemed to be their general lack of input into strategic decision making. On the other hand:

Pro-ethical conscience practitioners often find themselves in this role through the demand for such counsel and the experience they hold with external publics. . . . [O]nce their worth as ethical conscience is illustrated, they become an indispensable part of the dominant coalition.¹⁴

The pro-ethical practitioners tended to combine strong moral values with practical business sense, a position they believed would result in a more profit-

able company in the long run. Their approach seemed to be one of trust-building, believing that “ethical counsel and careful attention to ethical actions improved the reputation of the organization as credible, reliable, and ethical, and built ‘public trust.’”¹⁵ She notes that the data,

strengthen the argument that public relations can contribute to an organization’s strategic management, and by incorporating ethical decision-making and counsel that role can not only enhance organizational effectiveness but also contribute to the stature of public relations counsel as an ethical and valued voice in the dominant coalition.¹⁶

The TARES Test

Sherry Baker and David Martinson suggest that the appropriate foundation of ethical persuasion is a clearer understanding of the difference between *means and ends*.¹⁷ They argue that “the end must be formulated in a way that places an emphasis on respect for those to whom particular persuasive communication efforts are directed.”¹⁸ They propose a five-part test of *prima facie* duties that they say “defines the moral boundaries of persuasive communications and serves as a set of action-guiding principles directed toward a moral consequence in persuasion.”¹⁹ They are:

Truthfulness of the Message

- The communication should be factually accurate. It should not be deceptive in any way. It should present a complete picture and avoid communicating only part of a message, especially if omissions are intended to deceive.
- No false impressions should be communicated by the use of selective information.
- No information should be withheld that is needed by the audience in order for them to make an informed decision, especially if the omission of this information results in harm.

Authenticity of the Persuader

- The action, or communication, should conform to the highest principles and personal convictions, and should arise from noble intentions. As Kant said, it should be done out of a sense of good will, not out of vested interest. The intent of the act should promote the well-being of everyone potentially affected. This means that loyalties need to be appropriately balanced.
- Persuasive communication, especially advocacy, should reflect the personal beliefs of the persuader. If you would be ashamed to be revealed as a participant in a persuasive campaign, then you shouldn’t be doing it.

Respect for Those Being Persuaded

- Persuasive messages should appeal to the higher natures of people, not pander, exploit, or appeal to their baser inclinations.
- Messages should exhibit a sense of caring for those being communicated to.

Equity of the Persuasive Appeal

- The persuasive act should be fairly carried out and should be just and equitable for all concerned. If there is a lack of understanding among any of your audiences, you should clarify and educate in order to reduce confusion.
- Vulnerable audiences should never be targeted with messages that are designed to exploit that vulnerability.
- All arguments should allow for reflection and counterargument.
- It should be clear to everyone that persuasion is being attempted. Persuasive activities should never masquerade as information-only campaigns.

Social Responsibility

- Any persuasive action should be responsible to society and to the public interest by working to improve life within the social realm.
- Potential harms that may result from the communication should be recognized and eliminated or reduced.
- Understanding should be promoted among all publics involved in the issue.

A Virtue Ethics Approach

Karey Harrison and Chris Galloway, Australian theorists, suggest a virtue-based approach to dealing with the complexities of public relations ethics.²⁰ They contend that simply having a practicable ethical model, such as an ethics code, to apply to decision making won't insure good ethical decisions. Rather, they propose that the virtue, or character, of the moral agent is more important.

They believe that the environment in which public relations operates is often "murky" and this murkiness leads to moral confusion all around. Following on Aristotle's theory of virtue, they suggest that virtuous action results in a good feeling for the moral agent and, thus, becomes desirable over time. Moreover, the person of virtue values the intrinsic worth of right action (i.e., virtue is its own reward); whereas the person who lacks virtue might feel discomfort in being forced into right action, or even see no harm in avoiding it.²¹ Achieving excellence in a practice, such as public relations, means doing something good for its own sake, and for the character being built by virtuous acts.

In order for individual virtues to be realized, the organization in which the individual works must develop an environment conducive to the development of good character—much in the way MacIntyre suggested that the best environment for encouraging virtue is the virtuous *practice*. In order to actualize these virtues, the focus of right actions should be the public interest.

If excellence and virtue are related to community, as Aristotle suggests, then public relations' chief internal good is its contribution to maintaining and enhancing the community's health. This may be the health of the community in the sense of everyone who lives in a particular place, or the firm as a community through facilitating mutual adjustment and adaptation between organisations [sic] and their publics.²²

If this sounds a bit too idealistic, then, at the very least, “public relations practitioners may participate in and contribute to the internal good of organizations they choose to work for, as long as the organization's focus is on doing something that is good for its own sake.”²³

Special Issues in Public Relations Ethics

As with all those who work in the mass media, those who practice public relations will encounter ethical dilemmas unique to their chosen profession. Although there are certainly similarities among the media requiring that some issues, such as truth telling, be dealt with in a similar fashion, there are also differences in objectives and the approaches used to achieve those objectives that will incur unique ethical responses. Some of the most common of those are listed here.

Conflict of Interest

Conflict of interest cuts across the media professions, but is especially important in public relations. Basically, a conflict of interest occurs when a professional has interests, usually either professional or personal, that come into conflict with another obligation. This is usually considered as affecting the professional's impartiality. For example, a public relations firm attempts to take on two competing clients—perhaps two smart-phone companies. The question each of those companies is going to ask is whether the PR firm can possibly devote its full energy to pursuing their individual client's interests and maintain the confidentiality level required between the competing companies. If you were the CEO of company X and you found out that your public relations agency was courting a competitor, company Y, wouldn't you be concerned?

Types of Conflict of Interest

What's most troublesome about conflict of interest is that even the appearance of it can cause concern, and a conflict could possibly exist even if no improper or unethical acts result from it. There are a number of manifestations of conflict of interest, mostly having to do with a conflict of roles or a problem sorting obligations among claimants.

- **A situation in which public and private interests conflict.** For example, a PR professional working in a firm is required to take on a client account for a company he knows to be a notorious polluter. Perhaps the PR person is environmentally aware. His personal beliefs come into conflict with his obligation to serve the client.
- **A situation in which outside employment may be in conflict with the primary occupation.** In the example above, perhaps the PR professional also volunteers for a local environmental group. What then? Whose interests is he supposed to serve?
- **A situation in which personal interests, such as family, come into play.** For example, a public relations practitioner working for a corporation is asked to job out the monthly newsletter to a freelancer. It happens that her spouse is one of the best newsletter editors in town and makes a good living producing a number of corporate newsletters. Should he be denied the opportunity to bid on the job just because he's married to the person making the decision?
- **A situation in which a professional receives compensation beyond salary for work either performed or to be performed.** All media professionals need to be aware of the potential pitfalls of taking extracurricular "gifts" from clients. For example, a PR practitioner receives a free golf vacation from a client who owns a resort in Palm Springs. He is already being paid by his firm to handle the client's business, and this trip isn't necessary to the completion of his job in a professional manner. Should he accept it?

Ways to Mitigate Conflicts of Interests

The best way to handle conflicts of interest is to avoid them entirely—even the appearance of a conflict. Short of avoiding them altogether, there are several other common ways to deal with conflicts of interest:

- **Disclosure:** Professionals are often required either by rules related to their professional organization, or by legal statute, to disclose an actual or potential conflict of interest. In some instances, the failure to provide full disclosure is a crime (in medicine and the law, for example). In financial public relations, for instance, violations of conflicts of interest over stock transactions are governed by the Securities and Exchange Commission and carry legal penalties.
- **Recusal:** Those with a conflict of interest are expected to recuse themselves (abstain) from decisions where such a conflict exists. Sometimes this is written into the code itself as a guideline or, at the very least, covered as a caution with examples explaining typical potential violations (see below).
- **Codes of ethics:** Generally, codes of ethics forbid conflicts of interest. Codes help to minimize problems with conflicts of interest because they can spell out the extent to which such conflicts should be avoided, and what the parties should do where such conflicts are permitted by a code of ethics (disclosure, recusal, etc.). Thus, profession-

als cannot claim that they were unaware that their improper behavior was unethical. As important is the threat of disciplinary action to minimize unacceptable conflicts or improper acts when a conflict is unavoidable.

Many codes have self-policing mechanisms; however, this too may be cited as a potential conflict of interest because it often results only in eliminating the appearance of the conflict rather than the actual offense. Such internal mechanisms often serve to hide the conflict of interest from public view.

PRSA's Take on Conflict of Interest

The Public Relations Society of America's "Member Statement of Professional Values" covers the subject this way:

Core Principle

Avoiding real, potential or perceived conflicts of interest builds the trust of clients, employers, and the publics.

Intent

- To earn trust and mutual respect with clients or employers.
- To build trust with the public by avoiding or ending situations that put one's personal or professional interests in conflict with society's interests.

Guidelines

A member shall:

- Act in the best interests of the client or employer, even subordinating the member's personal interests.
- Avoid actions and circumstances that may appear to compromise good business judgment or create a conflict between personal and professional interests.
- Disclose promptly any existing or potential conflict of interest to affected clients or organizations.
- Encourage clients and customers to determine if a conflict exists after notifying all affected parties.

Examples of Improper Conduct Under This Provision

- The member fails to disclose that he or she has a strong financial interest in a client's chief competitor.
- The member represents a "competitor company" or a "conflicting interest" without informing a prospective client.

In summary, conflict of interest, whether real or imagined, is a problem. Because public relations, to a great degree, is the business of image making and maintaining, it seems logical that appearances would be extremely important.

It might be wise to follow the advice of Paul's letter to the Thessalonian Christians: "Abstain from all appearance of evil."

Withholding Information

Selective communication is morally suspect when it is intended to mislead or when it is used to conceal information that others need to make their own decisions. Yet, not everything that is known, believed, or communicated within an organization needs to be made public.²⁴

When is withholding information unethical? For example, journalists who do not present clear context may, unintentionally, be omitting information vital to understanding. Certainly, if this omission is unintentional, then the outcome can be said to be potentially harmful but the action not necessarily unethical. Remember, as many philosophers have pointed out, intent is vital to determining the ethicality of an act. Thus, when information is withheld, we need to determine the reason before we can condemn the act as unethical.

Advertisers and public relations professionals have long been accused of presenting information that is incomplete; and, as we have already discussed, that is not necessarily unethical because, by nature, both of these practices are supposed to be biased in favor of the client. For example, no one expects an advertisement to include every detail of a product or its potential uses; although, multiplying the uses of a product is usually a good thing. Think of Arm & Hammer baking soda. Who knew you could put it in your refrigerator to dispel odors? However, the recent laws regarding the advertising of pharmaceuticals reflects the growing concern with advertisers leaving out information vital to understanding the whole range of a product's potential effects. No prescription pharmaceutical may be advertised as having a specific positive effect unless it is accompanied by information concerning its negative side effects. The result has been commercials that are sometimes ludicrous in their happy-voiced disclaimers that, although the product may relieve your allergy symptoms, it may also cause nausea and vomiting.

And think of the countless times a political candidate's omissions of wrongdoing have been "found out" by the press despite an army of news secretaries painting an opposite image. Or the corporate PR people who routinely cover for mistakes and misdeeds. When we think of company executives lying about their products or the value of their stock, where do we place their spokespeople in the hierarchy of deception? Surely, there has to be some culpability on the part of their media representatives. However, as stated throughout this book, it is not always easy to know every detail about a client or that client's product or company, and those gaps in knowledge may, ultimately, have disastrous consequences. At the very least, a PR firm's reputation may suffer during and following such disclosures.

There are times, however, when withholding information may be thought of as *not* unethical. As discussed in Chapter 3, consulting professionals generally maintain client confidentiality in order to defend them from competitors. Not everything needs to be made public. A company's research and development projects are clearly in this category, as are their plans to go public with their stock offerings (a position dictated by the Securities and Exchange

Commission), potential expansion projects, or a myriad other “secrets” that ensure the privacy so needed in industries in which competition is high. Where, however, do we draw the line? When does discretion need to become disclosure?

The ethicist Michael Bayles delineates instances when breaching confidentiality (disclosing rather than withholding information) is usually thought to be ethical. He lists three kinds of reasons that can be given for a professional violating confidentiality: the best interests of (1) the client, (2) the professional, or (3) other persons.²⁵ Bayles considers disclosure in the best interest of the client to be rare and unadvisable since this could lead to a paternalistic stance rather than the ideal fiduciary position between client and professional.

Confidence can be breached, however, in the best interest of the professional in two kinds of situations: “when it is necessary for professionals (1) to collect a just fee or (2) to defend themselves against a charge of wrongdoing.”²⁶ For our purposes, the second is the more important. Bayles suggests that clients will typically not wish to have information disclosed that might show they have done something wrong. The onus of correcting the wrongdoing is, then, placed squarely on the professional in order to prevent harm to innocent third parties, which can potentially injure the professional’s reputation and credibility. For this reason, many in both advertising and public relations require disclaimers in their contracts that absolve them of blame should a client lie about a wrongdoing causing that lie to be passed along by the professional representative.

In the third instance, Bayles suggests identifying and weighing the values and interests of the client against those of affected third parties to arrive at a rule that can then be used in similar circumstances in the future. Further, all professionals may disclose confidential information to prevent illegal conduct.²⁷

The somewhat tricky relationship between client and professional makes the decision to violate confidentiality a serious one. This step should be taken only when it is clear that:

1. the client has violated the law;
2. the client has done something that would harm the reputation and credibility of the professional; or
3. the client has done or plans to do something that will harm innocent third parties.

As we discussed in Chapter 6, avoiding harm is one of the primary obligations of the media professional. This is especially true of advertising and public relations because of their tendency toward client loyalty.

The PRSA’s Take on Disclosing Information

Core Principle

Open communication fosters informed decision making in a democratic society.

Intent

To build trust with the public by revealing all information needed for responsible decision making.

Guidelines

A member shall:

- Be honest and accurate in all communications.
- Act promptly to correct erroneous communications for which the member is responsible.
- Investigate the truthfulness and accuracy of information released on behalf of those represented.
- Reveal the sponsors for causes and interests represented.
- Disclose financial interest (such as stock ownership) in a client's organization.
- Avoid deceptive practices.

Examples of Improper Conduct Under this Provision:

- Front groups: A member implements “grass roots” campaigns or letter-writing campaigns to legislators on behalf of undisclosed interest groups.
- Lying by omission: A practitioner for a corporation knowingly fails to release financial information, giving a misleading impression of the corporation's performance.
- A member discovers inaccurate information disseminated via a Web site or media kit and does not correct the information.
- A member deceives the public by employing people to pose as volunteers to speak at public hearings and participate in “grass roots” campaigns. [This will be discussed in more detail below under “new media.”]

Corporate Social Responsibility (CSR)

Corporate social responsibility (CSR) is the latest concept in a long line of philosophies aimed at ensuring that companies and corporations accept the notion of being responsible to society beyond merely providing goods or services that benefit the public on a functional level. As pointed out in Chapter 2, social responsibility, at its most basic level, is about ensuring that what a company produces is useful to those for whom it is produced. Beyond that, however, there has always been an underlying belief that organizations should also act in a responsible manner in other areas, such as environmental stewardship, safety issues, and philanthropy. In the last decade or so, a movement has been afoot defining more broadly the level of responsibility expected of corporations in areas beyond those already noted, as well as an increased emphasis on eth-

ics. According to one of the many groups now consulting with organizations on how to adopt a CSR approach,

Corporate social responsibility (CSR) is about how businesses align their values and behaviour [sic] with the expectations and needs of stakeholders— not just customers and investors, but also employees, suppliers, communities, regulators, special interest groups and society as a whole. CSR describes a company's commitment to be accountable to its stakeholders. CSR demands that businesses manage the economic, social and environmental impacts of their operations to maximise the benefits and minimise the downsides.²⁸

Put more broadly,

CSR generally refers to transparent business practices that are based on ethical values, compliance with legal requirements, and respect for people, communities, and the environment. Thus, beyond making profits, companies are responsible for the totality of their impact on people and the planet.²⁹

Or, as the executive vice president for Ogilvy Public Relations Worldwide put it, “CSR is about one thing: that regardless of whether or not people are consumers of a given company's goods or services, they should benefit, ideally, from the very existence of the company. They certainly should not suffer from it.”³⁰

In a working paper from the John F. Kennedy School of Government at Harvard University, Jane Nelson, Senior Fellow and Director, argued that public trust in business has been undermined by corporate scandals and the perceived rise in power in the private (corporate) sector.³¹ As anyone in public relations will tell you, actions speak louder than words. This has been true for a very long time. The poet Ralph Waldo Emerson once remarked, “What you are stands over you the while, and thunders so that I cannot hear what you say to the contrary.”³² The “bottom line” of CSR is about action, not so much about words. The big question plaguing CSR is whether it really is a movement dedicated to social change and welfare, or merely more of the same “PR.”

Critics of CSR have suggested that it is virtually impossible to engender social good while enhancing the bottom line. A Stanford University report states bluntly that companies trumpeting CSR are sometimes the same companies engaging in activities that could be said to be less than honorable.³³ For example, Wal-Mart's success in the marketplace belies the fact that the company has continuously been sued over poor labor practices.³⁴ On the opposite side of the coin, Costco's employee benefits package is apparently seen as a bit too beneficial by its own shareholders, who have been pressuring the chain to cut it in order to be more competitive with Wal-Mart. In other words, some have argued that the demands of the stock market provide a disincentive for doing too much social good. “When shareholders interests dominate the corporate machine, outcomes may become even less aligned to the public good.”³⁵

CSR and “Greenwashing”

Other criticisms cover the various methods sometimes used by corporations to affect a CSR attitude without actually engaging in CSR. The most recent example of this is called “greenwashing.” Essentially, greenwashing is the act of literally pretending to be an environmentally friendly organization or of producing products or services beneficial to the environment. Sharon Bader, an Australian academic and expert on science and technology, says that “Greenwashing, Greenscamming and Greenspeak are all different terms for public relations efforts to portray an organisation [sic], activity or product as environmentally friendly.”³⁶

The term relates primarily to environmental issues (which, if dealt with properly, are by definition a form of CSR), and is thus relevant both to public relations and to advertising. Speaking specifically of greenwashing, Sheldon Rampton, research director for the Center for Media and Democracy (a media watchdog organization) writes of a “degraded information environment” in which some corporations intentionally put up green fronts while continuing to practice the opposite. Rampton calls greenwashing “ultimately an attempt to obscure awareness of environmental pollution by polluting language and thought itself in an attempt to stop people from thinking clearly about the issues they face.”³⁷

The attempt to provide a “green” and caring image for a corporation is a public relations strategy aimed at promising reform and heading off demands for more substantial and fundamental changes and government intervention. Public relations experts advise how to counter the negative perceptions of business, caused in most cases by their poor environmental performance. Rather than substantially change business practices so as to earn a better reputation many firms are turning to PR professionals to create one for them. This is cheaper and easier than making the substantial changes required to become more environmentally friendly.³⁸

Although there are a great many companies that are practicing legitimate environmental stewardship both as part of CSR and more directly through their products and services, the fear among critics is that (1) the incentive is more bottom line than altruistic and (2) some are paying only lip service to it with small but splashy public relations and advertising campaigns. In public relations theory, this technique is sometimes called hedging and wedging.

The theory, originally developed by Keith Stamm and James Grunig, plays off the notion that public relations programs are often used to change attitudes, usually from negative to positive. As we know from cognitive dissonance theory, people tend to ignore information they don’t already agree with, so someone who holds a negative opinion of a company (say, for its poor labor practices) is not likely to attend to any positive spin concerning the issue, especially if it issues from the organization itself. However, if this same person holds no opinion of the company’s environmental practices, its public relations effort might try refocusing attention on a potentially positive aspect of the company’s practice, which, in turn, might distract from the negative aspect caused by its other practices.

According to the theory of hedging and wedging, human beings are completely capable of holding conflicting opinions, so when a person holds a

“wedged” (firmly held) view and is confronted with a contrary view, she may then “hedge” her views. This is a cognitive strategy, usually completely subconscious, that prevents dissonance. Knowing this, a retail chain that has developed a poor reputation for labor practices might be able to divert attention somewhat by developing a “green” strategy not related to its labor practices. People who are concerned about its labor practices might, simultaneously, applaud the company’s efforts on the environmental front. If the company’s positive practices gain enough attention, the negative opinion might eventually be pushed out or, at the very least, mitigated.

Although not all companies are using this approach when they become environmentally aware, there are some that do—so many, in fact, that a number of watchdog groups have sprung up to identify them. In addition to the ones already mentioned here, notable is Enviromedia’s Greenwashing Index. Enviromedia Social Marketing is a Texas-based corporation that consults with clients on how to make their environmental efforts truly green. Its sponsored web site asks consumers of media to report on greenwashing attempts and to post them online, thus making even more consumers aware of the real versus the fake.³⁹

Where Does Public Relations Fit In?

Corporate consultant Zena James says that “[T]he danger . . . is in paying lip service to CSR or ‘using’ it in a way that is not transparent. Badly thought through CSR practice will inevitably destroy trust, erode goodwill and damage reputation.”⁴⁰ According to James, the role of public relations is to keep everyone informed throughout the process. Her key points, as relate to our discussion, are:

- Help the organization demonstrate its fundamental approach to CSR (which should include transparency and accountability).
- Ensure that efforts are not misinterpreted as tokenism or a part of marketing.
- Make sensible use of existing internal and external communications tools to substantiate the organization’s commitment, to create dialogue, to respond to concerns, and to demonstrate direction.

Further, there are several important questions to be answered concerning the role of public relations in CSR. First, how much does a public relations/marketing plan relate to the reality of what the company actually practices? Second, if public relations plays a part in CSR, what, if any, are the ethical pitfalls of doing so? In order for public relations to be accountable either for the praise garnered from successful CSR or for its failure, it must be seen as somehow responsible. If we follow the model proposed by James Grunig—public relations as the corporate conscience—then it is either directly responsible for suggesting CSR as the high road to corporate good deeds or accountable for not doing so. However, if we view public relations as but one of many corporate mechanisms for managing communication, then we must investigate the intent behind the messages and the methods used to impart them, including messages about CSR. As stressed throughout this chapter, the obligations of

public relations professionals are not only functional but also moral, and on that front we have a lot of guidance.

The Ethical Bottom Line for CSR

Ethically responsible public relations professionals will reject the notion of making claims that are either completely false or even somewhat misleading. To avoid real issues while focusing on distractions is decidedly not ethical. It is a form of deception. Public relations is in a unique position within most organizations in that it has a broader view of issues than most other entities. It needs to be informed in order to inform others. In discharging its obligation to the consumers of its messages, it must not engage in deception of any kind, even if it benefits its own client or organization. Thus, corporate social responsibility messages must accurately reflect the reality of the activities they are supposed to represent. If they do not, they are misleading. And, if these attempts are merely window dressing designed to distract from more complex and potentially problematic conversations, then they are also misleading. It may be true that a company is observing some form of environmental concern. It may also be true the same company is price gouging or treating its employees poorly. One does not offset the other. Good deeds should be recognized. Bad deeds should be redressed. [Box this statement] It is the moral obligation of public relations professionals to recognize reality and to reflect it accurately in everything they do.

Greenwashing is the act of literally pretending to be an environmentally friendly organization or of producing products or services beneficial to the environment.

Public Relations Ethics and the “New” Media

The introduction of new methods of disseminating information and persuading audiences are changing the landscape of media ethics. Most, but not all, of these “new” media are computer-generated or computer-assisted. The allure of a democratized media has resulted in an internet presence that is both gratifying and alarming. According to a long-time web-content guru, Gerry McGovern,

Traditionally, public relations was about honing a silvery message that communicated exactly what the organization wanted us to hear. Now, we can hear all sorts of voices on the subject. It’s true democracy at work.⁴¹

Virtually anyone with access to a computer (or a device that can be linked to the internet) can voice his or her opinion instantaneously, and to millions of people. As you might imagine, this ease of transmission has great potential for abuse. As Aristotle pointed out in response to the argument that his rhetorical guidelines for persuasion could be used for evil ends, the ultimate use of any tool is up to the person who uses it. So it is with the new media. The most important thing to remember is that all of the approaches to ethical communication apply to the new forms as well. A hidden agenda on a blog site

is still a hidden agenda. The rules for ethical persuasion still count, no matter the format in which the persuasion appears. All of the approaches to ethical communication apply to the new-media forms as well. If it was unethical before, it's still unethical now.

Public Relations and the Internet

Recent changes in technology have allowed organizations to reach out to their constituencies in ways never before imaginable. The computer has not only spawned word processing and desktop publishing, but also allowed us to reconfigure our communications and our modes of delivery. Additionally, technology has expanded the scope of both internal and external communications beyond that of traditional media. The role of everything from the news release to the corporate magazine has been broadened by the ability to make what was once a static delivery system now interactive. There are a number of relatively new methods for getting a public relations message out over the internet, including intranets, web sites, weblogs (blogs), web seminars (webinars), online newsletters, and podcasts. All have great potential for clarifying information and for persuading audiences. They also are burdened with predictable pitfalls—most, simply new versions of old evils. We are going to concentrate here on blogging, but it is indicative of the types of ethical problems associated with much of the new media.

Blogging—The Need for Transparency

In what is known as conventional blogging, anyone can write anything they want any time. It has become a haven for the verbose, highly opinionated, and often uninformed. Obviously, this is not what blogging in public relations should represent. The key difference is that PR people don't represent themselves. They represent their clients and/or organizations. In addition, public relations messages have to be economical and to the point, and, above all, accurate.

Blogging can be a less formal way of keeping people informed than many other media options. It's a low-cost publishing tool that has the advantage of being able to get company news out quickly. Unlike email, blogging is literally "broadcast" simultaneously to anyone who wants to read it. It is also egalitarian in a way that much of public relations communication is not. Blogs allow for instant responses, multiple conversation threads, and a sort of accessible history of issues that can be referenced, added to, and corrected at any time. Blogging is a perfect example, however, of both the benefits and the potential problems often inherent in public relations communication, and there are several ethical problems that can arise in relation to this new form of communication.

For example, one of the major disadvantages of blogs is the tendency to want to respond immediately to queries and comments posted by other people. This often leads to not very well thought-out responses, which, for public relations professionals, is not a good approach to communicating with publics. Moral decision making requires a certain degree of reflection—time in which to consider the ethical ramifications of your actions. Immediate responses, by nature, are not reflective. But perhaps the most troublesome aspect of blogging,

and with many of the new technologies now used in public relations, is the lure of anonymity.

What is Anonymity?

To be anonymous is to present yourself or your opinion publicly without disclosing your true identity. Historically, there have been many good reasons for people to remain anonymous. In societies in which free expression is limited, anti-government positions have often been stated publicly by anonymous writers in order to protect themselves from harm. Benjamin Franklin used anonymity under various pseudonyms to poke fun at both people and institutions, with the serious aim of improving society. Anonymity, in this sense, has been a mainstay of democracy in the United States since its founding. The Federalist Papers, which argued for ratification of the U.S. Constitution at a time in which it was being hotly debated, were written by James Madison, John Jay, and Alexander Hamilton, but under the joint assumed name of *Publius*. Technically, this is called pseudonymity—writing under an assumed name. This type of anonymity allowed them to express more openly their views without fear of censorship or retribution. In an important 1995 Supreme Court decision, the Court held that:

Protections for anonymous speech are vital to democratic discourse. Allowing dissenters to shield their identities frees them to express critical, minority views . . . Anonymity is a shield from the tyranny of the majority . . . It thus exemplifies the purpose behind the Bill of Rights, and of the First Amendment in particular: to protect unpopular individuals from retaliation . . . at the hand of an intolerant society.⁴²

In other words, following on the writings of John Stuart Mill, a democratic society can often be as intolerant of minority opinion as an authoritarian one, but in a democracy it is incumbent upon the people to allow for such opinion. In the marketplace theory of free speech, all information is welcomed—even if it is presented anonymously. However (and this is a big “however”), anonymity also allows for abuses without accountability. It is easy to say something that others find objectionable when you cannot be held accountable for your words. More importantly, it complicates the issue of credibility.

For example, suppose you read some information online suggesting that a local politician has been having a sexual relationship with a married man. The information has been posted anonymously on a blog site you frequent. How do you know the information is legitimate? How can you evaluate the reliability of the information without knowing the credibility of the source? Or the motivation of the source? Remember that Kant said the only moral act was one done from a good will—that intention was everything. Recall the Elaboration Likelihood Model discussed earlier. Those tending to decipher persuasive attempts cognitively will always ask about source credibility, seeking to know the

All of the approaches to ethical communication apply to the new-media forms as well. If it was unethical before, it's still unethical now.

source of the information in order to determine the expertise and, even more importantly, the motivation of the sender of the message. Those using the peripheral route will often accept ideas they already agree with or simply be convinced by cues, such as seeming expertise on a subject, without necessarily considering motivation. We are often convinced by a seemingly well-constructed argument, especially if we don't stop to consider the motivation behind it.

What is Transparency?

Being transparent in public relations (or any form of public communication) means that both your identity and your motivation are apparent to those whom you are trying to persuade. The media ethics scholar Patrick Plaisance suggests that “Transparent interaction is what allows us as rational, autonomous beings to assess each other's behavior. Our motivations, aspirations, and intents are fully set forth for examination.”⁴³

[C]ommunication is based on the notion of honest exchange. This norm of forthrightness, or being “aboveboard,” is what is known as being transparent. And society would not be possible if we did not place a premium on the spirit of openness, or transparent behavior.⁴⁴

Using a Kantian approach, Plaisance points out that communication that is intentionally opaque as regards the sender's identity and motive manifestly disrespects the humanity and autonomy of the receiver. In other words, the receiver is being used as a means to an end. Transparency in media communication, or in all communication for that matter, is the mainstay of human interaction. It is the mortar that binds us to each other in mutual respect.

[T]ransparent behavior can be defined as conduct that presumes an openness in communication and serves a reasonable expectation of forthright exchange when parties have a legitimate stake in the possible outcomes or effects of the communicative act. It is an attitude of proactive moral engagement that manifests an express concern for the persons-as-ends principle when a degree of deception or omission can reasonably be said to risk thwarting the receiver's due dignity or the ability to exercise reason.⁴⁵

To be anonymous is to present yourself or your opinion publicly without disclosing your true identity.

In a practical sense, transparency in public relations means being up front with your identity as a PR professional and with the identity of those whom you represent. However, in order to avoid the automatic defense mechanism that most of us employ against a persuader's vested interest, some in both public relations and advertising are moving into an old use of new media—the anonymous identity, or, worse yet, the fabricated identity.

The Whole Foods Case

For six years, John Mackey, the CEO and co-founder of Whole Foods, a nationwide organic grocery chain, appeared as a regular blog poster on Yahoo Finance stock forums.⁴⁶ During that time, he posted dozens of negative attacks on his company's biggest competitor, Wild Oats. He questioned their corporate structure, verbally berated their management, and generally denigrated the value of their stock, often suggesting it was overpriced. At the same time, he praised his own company, its management, and even predicted its success in the stock market. On the face of it, this would appear, at worst, an unseemly display of corporate precociousness. The catch was, he was posting anonymously. He used the pseudonym *Rahodeb* (an anagram of his wife's name, Deborah) and hid behind the mask of anonymity to bash his competition.

His vehemence eventually began to attract attention. When questioned by other bloggers, he steadfastly asserted his innocence as just another anonymous poster. Once it became clear who he really was, the Federal Trade Commission published some of his online comments in an anti-trust suit filed against Whole Foods in its bid to take over Wild Oats. Mackey maintained that he was simply acting as a private citizen, and has a right to do so. While his anonymous postings were being written, he simultaneously maintained regular postings under his real name on the Whole Foods blog site. Although he denied it, many believed that this was all part of a larger, and intentional, corporate strategy to lower the value of Wild Oats so that a buyout would be easier and cheaper.

The question for us is whether this type of deception is ethically acceptable; to answer that, we need simply to question motivation. The discussion of conflict of interest earlier is also applicable here. When someone argues a point of view from a vested interest (they can benefit from the decision they promote) we naturally suspect them. When they do so from a position of anonymity, and with a sense of expertise, we are left not knowing whether to question their motivations or not.

Would we have been more suspicious of John Mackey's arguments condemning his competitor had he been open about his identity? Probably. We would have realized he had a very vested interest in trashing his competitor and would have taken his comments with a huge grain of salt. In other words, our defenses would have gone up immediately. Recall that ethical persuasion requires that the person being persuaded have all the facts she needs to reflect critically on a situation and make an informed decision. That includes the identity of the persuader and his motivation. Without that complete information, we are being effectively deceived.

Government PR Poses as News

In 2004, a number of news organizations reported that federal investigators were looking into television segments in which the Bush administration had paid people to pose as journalists.⁴⁷ Their segments included praise for the new Medicare law, especially its prescription drug benefits, which had been highly controversial. Several of the segments included pictures of President Bush receiving a standing ovation from a crowd as he signed the new Medicare bill into law.

These taped “news” segments were actually produced by the Department of Health and Human Services and intended for use by local television stations, who often have difficulty filling news holes with local-only stories. This type of product is typically called a video news release (VNR) and should have been labeled as such by the company who produced them, along with the name of the company and its client. In fact, the sources of these “news” segments were not identified, and two of the videos ended with reporter-like sign offs—“In Washington, I’m Karen Ryan reporting.” As it turned out, the “reporter” was a hired actor paid to read a script prepared by the government.

In addition to the unlabeled VNRs, a script accompanied the tapes that could be used by local news anchors to introduce what the administration later described as a “story package.” One such script suggested that anchors use this language:

In December, President Bush signed into law the first-ever prescription drug benefit for people with Medicare. Since then, there have been a lot of questions about how the law will help older Americans and people with disabilities. Reporter Karen Ryan helps sort through the details.

Lawyers from the General Accounting Office reported to Congress that the television news segments were a legal, and effective, way of educating the public on this new Medicare law—despite their admission that the source of this information campaign was intentionally omitted and the “reporters” had been paid actors. And, even though federal law prohibits the use of federal money for “publicity or propaganda purposes” not authorized by Congress, the Department of Health and Human Services suggested there was nothing wrong with their approach to disseminating this information. Their spokesperson went on record as saying, “The use of video news releases is a common, routine practice in government and the private sector. Anyone who has questions about this practice needs to do some research on modern public information tools.”

In fact, VNRs have been used for years to promote both products and ideas. Pharmaceutical companies, especially, have used them to promote their products by placing them within a narrative framework, or human interest environment. These short segments (usually “feature-length,” 90-seconds to three minutes) are easily sandwiched into local news programs to fill empty news holes. As more local stations cut news gathering budgets, the use of VNRs became more prominent. The real problem was that the sponsors, and the producers, of the segments were not always mentioned, giving the false impression that these were either locally produced, legitimate news segments, or nationally produced segments “shared” with the local station.

Although it may be perfectly legal to produce and to run VNRs without citing the source, it violates the ethical requirement of transparency, thus it violates the trust relationship between the public and its information sources. This violation occurs at several levels. First, any public relations firm that produces VNRs for a client is morally obligated to make it clear that it is a video “news release” and indicate who the client is. Without this information, we are left either to question the credibility of the piece (especially if we are central-route processors), or simply to accept it as legitimate news based mostly on its

news-like presentation (peripheral-route processors). In either event, we are cheated out of information vital to our understanding of the issue and to our subsequent decision-making ability.

It is important to note, however, that the onus of disclosure doesn't rest solely with the public relations firm originating the VNR. It is shared by the news organization that runs it. It is incumbent on local news stations to reveal the sources of their stories. News directors must distinguish between news and public relations, both for themselves and for their audiences. Their integrity is as much at stake as that of the PR people who produced the information in the first place. It is certain that much of the information generated by public relations professionals is newsworthy; however, astute journalists need to distinguish the difference between pure publicity and news value, and ensure that their final product is composed entirely of the latter.

The Edelman-Wal-Mart Scandal

Another, perhaps better-known example, is the so-called “Wal-Mart” scandal involving Edelman Public Relations, one of the nation's largest PR firms. A pair of seemingly independent travelers drove their recreational vehicle around the country, stopping overnight at Wal-Mart stores everywhere they went. (Wal-Mart allows RV parking for free in their lots overnight.) The pair subsequently interviewed Wal-Mart employees at these stores and posted glowing blog accounts of these happy individuals and the wonders of working for Wal-Mart. This blog and another, also seemingly independent and ostensibly set up by Wal-Mart “families,” eventually came under suspicion. A New York Times story revealed that both blogs were supported by Wal-Mart and developed by Edelman Public Relations as part of a “stealth” marketing plan. In fact, one of the blogs was written almost entirely by Edelman employees posing as Wal-Mart employees. For many in public relations, this was a big step over the line. In responding to questions about the fake blog (flog) scandal, Emmanuel Tchividjian, the executive director of Ethics Consulting Practice of the public relations firm Ruder Finn, described the problem this way:

[T]here is something new at work when it comes to the Internet, in terms of morality and ethics. The big element here is that of anonymity. When we complain that someone lied to us, we say, “He lied to my face. He looked at me and lied.” That factor of human interaction is gone when it comes to the Internet. You can use an assumed name and nobody can trace you. This goes to the whole issue of transparency. If you follow the PRSA code, for example, you wouldn't do that.⁴⁸

As with the other examples cited here, the question is not so much whether what is being said is true. The question is whether the people who are giving us information have a vested interest in the outcome, and, if so, why they are hiding their identities. Public relations, in order to maintain its own integrity, must be entirely transparent and above board. Hiding behind the free speech right to anonymity may be all well and good for whistle blowers and others fearing for their livelihood, reputations, or even their lives, but there is no acceptable reason for anyone engaged in public relations on behalf of a client to act anonymously.

A Word About Ghost Blogging

Recent research has helped clarify a further ethical issue called ghost blogging. Like its counterpart, ghostwriting, ghost blogging is the act of publishing communication not actually written by the person the readers are led to believe is the author. A key ethical consideration in ghost blogging is whether a public views a particular type of communication as reflecting reality or not? Or, do they, perhaps, accept the reality reflected in and by the communication as a necessary function, or by-product, of public relations?

Using the Qualified Expectation of Reality (QER) test detailed in Chapter 9, researchers at the University of Oregon found that ghost written blogs were, on the whole, ethical—because readers knew they were probably not written by the stated author but rather by a PR person. In other words, they weren't fooled. However, the problem was that readers don't really approve of the practice. The suggestion is that from an ethical perspective, even if readers expect that blogs may be ghostwritten, if they don't approve of the practice, than any organization engaging in this practice without disclosure risks a lack of credibility. Thus, even if the communication passes the QER test for ethicality based on audience recognition of the fiction, the practice might still be essentially, and practically, ineffective—which needs to be considered if the goal is credibility and message effectiveness.⁴⁹

The takeaway here is that organizations need to go beyond simply meeting the expectations of readers—they need to understand that some may still find the practice ethically questionable. This is a clear message that the practice is potentially crossing an ethical line. The recommended solution was to disclose that the blog is ghostwritten explaining the level of participation of the stated author so that readers know there is at least some involvement.

What Does It All Mean?

Public relations is an eclectic practice with a great many job descriptions involving myriad functional obligations. As we have learned, along with these functional obligations, there will always be accompanying moral obligations—either directly or indirectly related. As the message vehicles available to public relations professionals evolve and increase in number, there will always be a temptation to avoid moral obligations in favor of the purely functional. As noted, these ethical lapses are often discovered by the very audiences involved in the communication. In the case of Whole Foods' CEO, it was initially the other bloggers who suspected the ruse.

Public relations, more than any other media industry, is entering with gusto into the realm of new media, especially the opportunities provided by the internet and the concept of social marketing. However, public relations professionals must continue to follow the dictates of their already established standards, either codes provided by professional organizations such as PRSA, to the idea of social responsibility, or to their own personal ethics. A basic rule of thumb is that, if it was unethical before, it will be unethical now. Despite the advent of new ways to communicate with people, respect is still respect. The only way to ensure ethical practice is to practice ethics in everything we do.

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