

Transparency: An Assessment of the Kantian Roots of a Key Element in Media Ethics Practice

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□ *This study argues that the notion of transparency requires reconsideration as an essence of ethical agency. It provides a brief explication of the concept of transparency, rooted in the principle of human dignity of Immanuel Kant, and suggests that it has been inadequately appreciated by media ethics scholars and instructors more focused on relatively simplistic applications of his categorical imperative. This study suggests that the concept's Kantian roots raise a radical challenge to conventional understandings of human interaction and, by extension, what it means to exercise freedom.*

The concept of transparency is critical to anyone concerned with ethics in communication because it does not simply address the *content* of our messages to other people, but it requires us to think about the form and nature of our interaction with others. Not only is transparency an issue regarding *what* we say, but regarding *why* we say it and even *how* we talk. *Transparency* has become a term of cachet, a buzzword used to trumpet integrity in government, business, and media. The annual international "bribery survey" conducted by Berlin-based Transparency International receives prominent news coverage around the globe every year. Public relations officials and other corporate officers point with pride at their efforts to achieve transparency with customers, clients, and investors. A rash of business and marketing books have recently been published that trumpet the usefulness of transparency as a smart business strategy (see Ind, 2005; Oliver, 2004; Pagano, 2004). Business leaders are recognizing that the concept is an effective "means" toward success. One American newspaper received industry praise by webcasting its daily news meetings as part of its "transparent newsroom" initiative (Smith, 2006).

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. "Moral communication,"

Robert McShea wrote, “is possible among us to the extent to which we share . . . a common view of the facts” (1990, p. 221). Sissela Bok (1999) argued that when we use deception or stop short of full disclosure, we fail to treat others with the requisite dignity and respect. We fail as moral beings, in effect.

Drawing from a range of theorists, *transparent 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.

This duty requires us to acknowledge the moral dimension of all communicative acts, yet does not require the sacrifice of autonomous agency when opacity or evasion serve legitimate privacy interests. Autonomy requires privacy, as several theorists have pointed out (Bok, 1982; Goffman, 1963; Rosen, 2000). In her essay on the science of deception detection, Henig (2006) noted that learning to lie is an important step in human maturation. “What makes a child able to start telling lies, usually at about age 3 or 4, is that he has begun developing a theory of mind, the idea that what goes on in his head is different from what goes on in other people’s heads. . . . After a while, the ability to lie becomes just another part of his emotional landscape” (p. 76). Philosopher Thomas Nagel eloquently stated how neither individuals nor society can survive and flourish without secrecy:

Each of our inner lives is such a jungle of thoughts, feelings, fantasies and impulses, that civilization would be impossible if we expressed them all, or if we could all read each other’s minds, just as social life would be impossible if we expressed all our lustful, aggressive, greedy, anxious or self-possessed feelings, and private behavior could be safely exposed to public view. (1998, p. 15)

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Clearly, our existence as moral agents *requires* the exercise of secrecy and thus some right to exercise deception in the service of protecting

our private selves. Failure to acknowledge the need for secrecy as a key component of autonomous agency leaves us “unable to exercise choice in our lives,” as Bok (1982, p. 20) said. As a mechanism for public policy, disclosure “can increase as well as decrease risks,” according to Mary Graham in her book, *Democracy by Disclosure*. “If revelations are distorted, incomplete, or misunderstood, they can misinform, mislead, or cause unwarranted panic” (2002, p. 5). The explication of the concept of transparency here is not intended to deny or marginalize this critical link between secrecy and autonomy. Nor does it intend to provide maxims or guidelines to delineate when a moral obligation of transparency may reasonably override a claim of privacy or confidentiality. That determination must be the result of careful weighing of competing values and interests posed by a dilemma—work that is the essence of ethical deliberation. The purpose here is to examine the philosophical roots of the value of transparency and the resulting premium placed on truth telling.

In any effort to articulate the key values and guiding principles for media behavior, it is critical to understand the philosophical underpinnings of full disclosure. Upholding transparency as a goal in deliberations is not simply a way to argue the righteousness of our decisions. It is how communicators demonstrate that they are ethical beings from the start. Philosophically, the notion of transparency is rooted primarily in the work of Immanuel Kant (1724–1804). Kant linked the concept of integrity of action to that of human dignity. Truth is important not because lying and deception result in bad things; it is important because by honoring truth we fulfill our obligation to honor the rational agency and free will of everyone with whom we communicate. Therefore, it is important to understand exactly *why* transparency is so central to the field of ethics, *what* kind of weight it ought to have as a central value, and *how* Kant’s work provides the critical philosophical basis for claims that truth telling (and thus being forthright in all interactions) deserves the premium it is usually given in ethical deliberation. Kant established what many scholars refer to as his “principle of humanity” in the *Groundwork of the Metaphysics of Morals* (1785/2002): “Act so that you use humanity, as much in your own person as in the person of every other, always at the same time as end and never merely as means” (p. 429). Several contemporary theorists have raised questions about Kant’s principle of humanity, wondering whether it truly sets forth a helpful moral criterion (M. G. Singer, 1961) and whether it successfully helps us understand which actual ends or purposes are morally acceptable (Jones, 1971). Other theorists have defended Kant, arguing that his principle simply provides a criterion for evaluating the pursuit of whatever ends a person may have (Atwell, 1986; Paton, 1971).

This humanity principle is closely related to what is known as Kant’s “supreme principle of the doctrine of virtue,” which is stated later in his

Metaphysics of Morals (1797/1991):

Act in accordance with a maxim of *ends* that it can be a universal law for everyone to have. In accordance with this principle man is an end for himself as well as for others, and it is not enough that he is not authorized to use either himself or others merely as means (since he could then still be indifferent to them); it is in itself his duty to make man in general his end. (p. 395)

This is one formulation of what is generally referred to as Kant's *categorical imperative*, which defines an act as moral if it may be endorsed as acceptable behavior for everyone. Its deontological, or duty-based approach most commonly defines Kant's moral system, as opposed to other approaches such as the utilitarianism of John Stuart Mill, which place emphasis on the goodness of consequences of an act. But by focusing so exclusively on Kant's universalist maxim to assess the rightness of behavior, as so many media ethics writers do, the very philosophical basis for his maxim often is overlooked, unaddressed, or even dismissed. It is critical for us to understand *why* such a maxim is needed in the first place.

A survey of the discussion of Kant's philosophy in media ethics literature indicates that the concept of transparency is usually marginalized, assumed, or altogether ignored. In his latest edition of his textbook, *Ethics in Media Communications*, Day (2006) gave a brief nod to the Kantian argument for transparency (pp. 82, 104) but without any explicit reference to the word. Similarly, Bivins (2004) provided a general sketch of Kant's approach but stopped short of specifically addressing why the Kantian concept of transparent behavior is central to communication ethics in his text, *Mixed Media: Moral Distinctions in Advertising, Public Relations and Journalism*. Transparency never makes an appearance in *Journalism Ethics: Philosophical Foundations for New Media* by John C. Merrill (1997). Others (Gordon & Kittross, 1999; Leslie, 2000) limit their discussion of Kant to often generalized applications of his truth-telling imperative without acknowledging or providing his philosophical groundwork for doing so. Two of the most widely used media ethics case study texts (Christians, Rotzoll, Fackler, & McKee, 2005; Patterson & Wilkins, 2005) also stop short of explaining the value and philosophical roots of transparent behavior beyond very brief descriptions of truth telling as a duty according to Kant's categorical imperative.

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The purpose of this study is to reclaim center stage for the concept of transparency in media ethics theorizing. Most media ethics texts correctly point out Kant's near-absolutist injunction against lying, but few attempt to fully explain why Kant makes the claims he makes. The result is a rigid, largely inaccessible Kant who is easily dismissed in discussions of ethical norms in a pluralistic culture. Yet a fuller exploration of Kant's theoretical system reveals an extremely relevant Kant who, with his claims about human dignity, demonstrates why the call for transparency in communication may be his greatest gift to media ethics theory.

Transparent Behavior in the Media

If ethics is all about struggling to find rational ways to balance competing interests and values, the concept of transparency ensures that all the players, or stakeholders, are speaking the same language. Humans are, by nature, creatures of community. Social roles constitute a large part of identity. As social animals, humans are specially wired to depend on interaction with others. That is why communication is such a central feature of humanity. There are obvious reasons for our dependence on communication: to get information necessary to live our daily lives, to participate in culture, and, indeed, to understand our place in society and develop meaningful relationships with others. But there is another critical but often implicit ingredient of human communication: trust.

Imagine a world in which everyone could freely communicate with anyone, but no one could ever be sure that what one was told was truthful or accurate, or even whether anyone ever actually cared about such things. If it served people's whim or interest to lie or to give deliberately false or misleading information, they would do so at every opportunity. If that were the norm, our very society would collapse. Notwithstanding the proliferation of political "spin doctors" and one-sided commercial advertising, communication 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. Society has achieved more openness, or transparency, than ever before—so much so that its virtue is widely taken for granted and universally shared. "There has never been more abundant information about individuals and institutions whose claims we have to judge," Cambridge philosopher Onora O'Neill wrote. "Openness and transparency are now possible on a scale of which past ages could barely dream" (2002, p. 66). This "high road" toward increasing, pervasive social and commercial

transparency is built on new technologies that O'Neill said are ideal for achieving openness. These technologies have reaffirmed claims that openness is the best way to build public trust and accountability. The increased activity and prominence of Web-based media watchdog groups and independent bloggers have contributed to the intense public scrutiny of media behavior. The subjects of news accounts now can disseminate their own versions of events, including transcripts that show audiences what journalists chose not to use.

Yet O'Neill argued that we have not seen a corresponding increase in trust. "On the contrary, trust seemingly has receded as transparency has advanced.... Transparency certainly destroys secrecy, but it may not limit the deception and deliberate misinformation that undermine relations of trust" (pp. 68, 70). She concluded:

Unless there has been prior deception, transparency does nothing to reduce deception; and even if there has been deception, openness is not a sure-fire remedy. Increasing transparency can produce a flood of unsorted information and misinformation that provides little but confusion unless it can be sorted and assessed.... Demands for transparency are likely to encourage the evasions, hypocrisies and half-truths that we usually refer to as "political correctness," but which might more forthrightly be called either "self-censorship" or "deception." (O'Neill, 2002, pp. 72-73)

Furthermore, other theorists have cautioned that although people are increasingly relying on computer-mediated communication, certain of its characteristics, including its "sensory displacement" and its tendency to "dematerialize" communicators, make it more difficult to foster trust and ensure that a premium is placed on truth (Tompkins, 2003).

Clearly, achieving transparency as a widely accepted policy of ethical behavior may not necessarily guarantee moral "progress" or alleviate moral confusion. And several theorists have made it clear that we are under no obligation to tell the truth in extreme circumstances, such as when being truthful threatens one's survival, such as during wartime or if faced with torture. Indeed, this exemption is part of the proposed United Nations Declaration of Human Responsibilities (Jensen, 2001). And insisting on a transparency unmediated by other values can certainly become destructive and self-defeating.

Deception, denial of truth, and omission are all natural features of the human experience. They also are critical psychological defenses. "We humans are active, creative mammals who can represent what exists as if it did not, and what doesn't exist as if it did," wrote David Nyberg in his book, *The Varnished Truth*. "Concealment, obliqueness, silence, outright lying—all help to hold Nemesis at bay; all help us abide too-large helpings of reality" (1993, p. 12).

If transparency for the news media means an unthinking process of shoveling everything onto the plates of audiences, journalists would be abdicating their gatekeeper role and most likely undermining the journalistic enterprise in the process. "There is a point at which the pursuit of transparency veers into the absurd, and instead of clarifying the question of what journalists do and why, can only obfuscate," Cunningham (2006, p. 9) wrote in his critique of the suggestion that journalists should disclose all possible personal biases—including race, economic background, and upbringing. "To assume that we can know what someone thinks by identifying their personal traits, habits and predilections is a dangerous notion, and really has nothing to do with clarity" (Cunningham, 2006, p. 10).

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However, when the concept of transparency is properly understood, in fact it ought to limit deception and misinformation. The concept is tightly bound up with the Kantian duty of acting in ways that respect the humanity—or, more precisely, the rational capacity and the free will to exercise that capacity—of others. Even if transparency is not always a sufficient condition for more ethical behavior, its absence is a prerequisite for deception, which presents serious challenges for anyone who values ethical behavior.

For journalists confronted by an often hostile public, transparency is more than academic; it is an essential element of credibility. Yet journalists themselves seem ambivalent about their commitment to the ideal of transparent behavior. They have long been reluctant to expose newsroom deliberations to public scrutiny for various reasons, including a fear of undermining another central journalistic tenet: autonomy from outside influences. When asked to rank a set of given values, the journalistic value of being "aboveboard" only just failed to make the top tier of the most highly ranked values (Plaisance & Skewes, 2003).

Journalistic decisions lack transparency when they serve primarily to protect selfish interests or political power, or are justifications rooted in defensiveness. Journalists who explicitly value transparency demonstrate that they are continually engaged in examining whether their coverage has fully taken into account the interests of all involved in or affected by

their coverage. *St. Petersburg Times* media critic Eric Deggans wrote

Transparency—telling the public how the media gets its stories—has become one of the biggest issues facing newspapers. . . . Even as readers accept the hundreds of little facts newspapers print daily, they are increasingly seeking the story behind the big stories, leaving editors to struggle with how much they can comfortably reveal. (Deggans, 2006)

Veteran media critic William Powers of the *National Journal* agreed. “Something is happening to journalism that happened to government long ago—it’s becoming more transparent. The media’s sausage factory now has windows, and everybody’s looking in and seeing how news is put together” (2006). Steven A. Smith, editor of the *Spokesman-Review* in Spokane, Washington, acknowledged that this may strike many in the media business as counterintuitive, or even counterproductive. But for journalistic credibility, it is critical.

Transparency—which includes being open about mistakes—can kill rumors and conspiracy theories that breed distrust. It can soften criticism, or at least direct it to the appropriate targets. . . . It can enhance credibility, but only if consistently followed. . . . Raising the window, fessing up, speaking directly to readers with a genuine openness actually enhances credibility. (as quoted in Rosen, 2005, p. 1)

In their recent book, *The Elements of Journalism: What Newspeople Should Know and the Public Should Expect*, Bill Kovach and Tom Rosenstiel (2001) offered what they called the “Rule of Transparency,” which roughly is an attempt to apply scientific method standards to daily journalism. The rule calls for journalists to regularly disclose the limitations and methods of their newsgathering so that the reliability of their work can be assessed by others. In May 2005 Spokane’s Smith sought to do just that by publishing an extensive “note to our readers” that accompanied an explosive set of stories detailing how the city’s mayor, an outspoken and powerful conservative politician in the state, had been trolling Internet sites, seeking sex with young men and offering favors to them. The mayor, Jim West, admitted to the Internet activity but denied any criminal wrongdoing, and he was ousted in a recall election 7 months later. In his editor’s note to readers, Smith wrote, “Today’s stories speak for themselves. But I know many readers will have questions. Those questions deserve answers” (Smith, 2005). He went on to address several anticipated questions: Is the mayor’s sexual orientation or sex life a story? Who are the sources for these stories? Why publish the stories now and not when West was running for mayor in 2003 or years before when he was in the state legislature? Smith ended with providing both his e-mail address and his office phone number. It may be difficult to

speculate about the overall effectiveness of Smith's strategy, but his preemptive openness most surely enhanced the paper's credibility among readers who questioned its investigative methods. Smith later said he felt further vindicated that the series did not result in any lawsuits or calls for corrections by West or anyone else involved.

Journalists are constantly making judgment calls and deciding what they think the public ought to know. What they sometimes fail to do, however, is to proactively provide full disclosure about the *methods* of their work as a way to increase accountability, as Smith did in Spokane. "We have, without any fanfare or much conversation, moved into an era in which news organizations are expected to explain themselves," said Alex Jones, a former *New York Times* reporter and director of the Joan Shorenstein Center on the Press, Politics and Public Policy at Harvard University. "Twenty years ago, it would not be expected that the *New York Times* would explain itself. The concept of what accountability is has changed" (Deggans, 2006).

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Disregard of this need for transparency can have severely damaging results, particularly in the media's use of hidden cameras and other such tactics. When the owner of the Food Lion supermarkets took ABC's *Primetime Live* to court after the news program aired a damning story about rotten meat being repackaged for sale in stores in 1992, the judge directed the jury to presume that the report was true. Regardless, ABC's deceptive tactics used to get the story—reporters posing as applicants for supermarket jobs and then wearing hidden cameras—raised serious questions about the network's practices that threatened to overshadow the story's merit. "Transparency means embedding in the news reports a sense of how the story came to be and why it was presented the way it was," Kovach and Rosenstiel (2001, p. 83) wrote. Insisting on transparency "will help over the long run to develop a more discerning public. This is a public that can readily see the difference between journalism of principle and careless or self-interested imitation" (Kovach & Rosenstiel, 2001, p. 83).

The concept of accountability also has changed for public relations practitioners. The industry has been repeatedly stung by revelations of deceptive tactics in the service of private clients, and these examples often have undermined the insistence by PR officials that their professionalism requires them to serve the public good, just as journalists claim

to do. Each year in their introductory classes, countless public relations students read about the tactics of a well-known international PR firm, Hill and Knowlton (H&K), to generate public support for U.S. military action against Iraq in 1990. H&K, working for the Kuwaiti government through a “front” group called Citizens for a Free Kuwait, was accused of misleading the American public about atrocities committed by Iraqi soldiers in its efforts to “sell” the war (MacArthur, 1992; Wilcox, Ault, Agee, & Cameron, 1999). In their widely used PR textbook, Wilcox and his colleagues asked, “Should H&K have disclosed publicly the sources of funds supporting Citizens for a Free Kuwait? Is the use of a ‘front’ organization such as Citizens for a Free Kuwait deceptive and a breach of the [public relations industry] code of ethics?” (1999, p. 78). These are most certainly rhetorical questions. Many PR practitioners and instructors have been diligent in preaching the gospel of transparency ever since.

Kant: The Principle of Humanity

Kant’s principle of humanity argues that we have a moral duty to respect others as ends in themselves simply because they are human beings and therefore capable of *reason*. This claim becomes the basis for his entire ethical system. “Kant means that when I regard myself as an end in myself, I am regarding myself as a moral agent subject to moral law and so of infinite value,” according to Paton (1971, p. 176), a prominent authority on Kantian philosophy. “I must do this in virtue of my nature as a rational agent, and so must every other man. . . . In virtue of my rational nature as such I must regard—and treat—all persons (including myself) as moral agents” (p. 177). Paton explained:

This good or rational will Kant takes to be present in every rational agent, and so in every man, however much it may be overlaid by irrationality. Hence man, and indeed every rational agent as such, must be said to exist as an end in itself, one which should never be used simply as a means to the realization of some end whose value is merely relative. (p. 169)

As Atwell (1986) noted, this notion of people as rational “ends” is a central feature in ethics codes across professions:

[This principle] occurs again and again in current discussions of business and professional ethics, where it is said, for example, that workers are not to be treated in the manner of the tools they themselves employ, that medical patients are to be “respected” by their physicians, that human subjects may not be “used” by medical and social science researchers unless “informed consent” has been obtained, and so on in other “practical” areas. Nearly

every (if not every) professional code of ethics operative at the present time makes a favorable reference to Kant's principle of humanity, the notion of respect for persons, or the like. (p. 105)

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Elements of this Kantian approach are readily apparent in the ethics codes of the prominent organizations representing professional media industries. "Be accountable" is the one of the four directives of the code of ethics promoted by the Society of Professional Journalists. According to the code, "journalists are accountable to their readers, listeners, viewers and each other." As a result, journalists should "clarify and explain news coverage and invite dialogue with the public" and "abide by the same high standards to which they hold others" (Society of Professional Journalists, 1996).

The code of ethics adopted by the Public Relations Society of America lists "disclosure of information" as a key provision. According to this provision, PR practitioners can build public trust "by revealing all information needed for responsible decision-making," and the code urges them to "avoid deceptive practices" and "reveal the sponsors for causes and interests represented" (Public Relations Society of America, 2007).

Transparency is even an implicit value stated in the ethics code adopted by the American Marketing Association, which urges members to avoid false or misleading advertising and "sales promotions that use deception or manipulation" (American Marketing Association, 2007).

Nowhere is Kant referred to in these or most other codes of ethics. Yet his humanity principle is at least implicit in these codes, given their near absolute proscription of any form of deception. On the surface it may seem obvious why deception, lies, and false claims in advertising are wrong. They just are, we say. They violate our sense of honesty. They are hypocritical when people talk about the importance of "truth" as a value.

Philosophically, the roots go much deeper. The value we place on truth rests on Kant's fundamental claim that "a good will has a unique and absolute value" (Paton, 1971, p. 171). If this claim is accepted, then we are prohibited, as moral agents, from subordinating it to any lesser ends, including the pursuit of our own interests and desires. "The worth of all objects *to be acquired* through our action is always conditioned," Kant said in *Groundwork*. "Rational beings, by contract, are called *persons*, [italics added] because their nature already marks them out as ends in

themselves, i.e., as something that may not be used merely as means, hence to that extent limits all arbitrary choice (and is an object of respect)" (1785/2002, p. 428). But Kant's "positive" moralism charges us to go even further: "It must indeed be a duty, not merely to refrain from thwarting its manifestation in action, but also to further these manifestations so far as it is in our power to do so" (Paton, p. 171).

Kant outlines that all beings or objects in the world fall into one of three categories: (1) *Wesen*—projected ends, desires, or objects of one's will, which are known as *subjective* ends; (2) *Gegenstände*—natural, non-rational objects that are not dependent on one's will: things such as trees, stones, gold, or animals; and (3) *Objekte*—rational beings, which are considered ends in themselves. Atwell's (1986) explanation of how Kant said we should correctly perceive the moral worth, or value, of each, is useful:

Objects in (1) have no value except that of being willed or desired by someone; things in (2) have only a relative value, specifically, a value of means alone; and rational beings, in (3), have an absolute value, indeed, a dignity, hence they are properly objects of respect, or at least their humanity or personality is. To say, then that man "exists" as an end in itself is to say that the "nature" of man designates him as an end in itself: "rational beings are called *persons* [italics added] because their nature designates them from the start as ends in themselves, i.e., as that which may not be treated merely as means." (p. 108)

Nell (1975) suggested that Kant places paramount value on our "will" and on our "rational nature" as ends in themselves because rational nature "is the only possessor of a will which can be good" (Nell, p. 106). "If good willing is an end in itself or objective end, then so are rational beings" (Nell, p. 108). "There is no conceivable object of the will, i.e., no subjective end, to which persons may be treated merely as means thereto," said Atwell of Kant's claims. And, according to Nell: "Things may be *used* [emphasis added], in principle, for any end one may have, but persons may never be *used* [emphasis added] for any end whatever." We cannot honor the will to reason by treating others merely as means to satisfy our own inclinations, for to do so suggests that we would treat fellow human beings the same way we might treat the inanimate tools we used to accomplish certain jobs. If individuals, as moral agents, are serious about the value of freedom and about our duty to honor human reason, Kant said, then they will strive to treat others *as ends in themselves* and not solely as means for the attainment of personal goals or desires. They must interact with others in ways that maximize their ability to exercise free will or reason. To fail to do so is to fail to recognize their existence as rational beings who, by the presence of their will to reason, are obligated to act morally toward others.

Paton (1971) neatly tied this principle to Kant's categorical imperative, or universalist ethic:

I will try to put this less technically. Formula I bids me act only on maxims which can be universal laws for all men. Since these laws are laws of freedom, this means that in determining my actions I have to take into account the rational wills of other men: I ought to act only in such a way that as rational beings they can act on the same law as I. Hence their rational wills limit my actions and must not be arbitrarily overridden by me. That is to say, I ought not to use them merely as means to the satisfaction of my own desires. Similarly, I ought not to use my own rational will merely as a means to the satisfaction of my desires. (p. 178)

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Yet the implications of Kant's idea here are even more significant. Taken together, our duty to respect the freedom accorded to all rational beings and our duty to avoid treating others as merely ends create an additional obligation: to accept *the happiness of others* as our own objective end. This is a radical notion, yet it is not entirely unfamiliar; several religious dicta take this "love thy neighbor as thyself" approach even if they stop short of providing any rational justifications beyond an article of faith. Nell (1975) explained Kant's basis for claiming that people are obligated, as moral beings, to make the happiness of others their own concern and to use this concern to guide their actions toward others. We cannot necessarily predict what kind of help or cooperation we may need from others, so we cannot be sure how we might be required to act out Kant's categorical imperative. As a result, if we are serious about respecting the freedom of others based on a respect for them as rational beings, their happiness (or objective ends) becomes our concern too, because our awareness of them is required for us to respect the will of all rational beings.

Deception also is denounced by Kant through application of the categorical imperative: I treat another person wrongly (i.e., use deceptive means to induce someone to act according to my desires) when my treatment of the person involves acting on a maxim that I would not want to be adopted as a universal law of nature. And as with Kant's humanity principle, use of deception also can be considered a moral failure because I am denying the "absolute value" residing in the person's capacity for reasoned action—I am treating the person as an instrument in my pursuit

of something else in a way that undermines the person's existence as an end in itself.

This does not imply that our strictly utilitarian dealings with other people are immoral. As Paton (1971) said, I may go to the post office and give the postal clerk a package to mail, thus treating her as a "means" to satisfy my desire that it be delivered as I want. Kant's point is that although we might treat people as means in the course of our daily lives, we cannot treat them as *only* means, and must respect them as ends in themselves as well.

Many ethical debates over media behavior center on clashes involving the fundamental values of exercising First Amendment free speech rights and respecting the dignity and sensitivity of certain groups that may be affected or offended by that exercise. In early 2006, this conflict arose when newspaper editors in Europe and the United States struggled with the question of whether to publish editorial cartoons that negatively depicted the Muslim prophet Mohammed. Although most American papers declined to run the cartoons, which were first published by a Danish newspaper in late 2005, several did, including the *Philadelphia Inquirer* and the *American-Statesman* of Austin, Texas, claiming it to be a necessary demonstration of their free speech rights. Many Muslims, however, believe that Islam forbids *any* depiction, critical or otherwise, of the prophet, and the cartoons struck many Muslims as deeply offensive. The decision to publish the material, for many Muslims, demonstrated a callous disregard for, or even a repudiation of, their religious beliefs by Westerners.

It may seem odd to invoke Kant's claim that it is our *rational capacities* that provide the basis for our freedom in a dispute involving religious belief. But the argument that publishing the cartoons was a free speech question would likely strike Kant as hollow and even backward. Freedom celebrated for its own sake has no sound philosophical basis, he might say. Publishing the cartoons without a sufficient understanding of the depth of offense given to Muslims could be considered a failure to adequately engage followers of Islam as ends in themselves; instead, they become merely *means* in an exercise of free speech.

Kant: The Theory of Human Dignity

Kant spent much effort in showing why all humans must be treated in a way that respects their autonomy and dignity—similar to the "certain unalienable rights" that other philosophers have argued that we all are born with. Kant elaborated on these claims and became more explicit regarding the value of transparency in his *Metaphysics of Morals* (1797/1991). In that work, Kant set forth what could be referred to as a

theory of human dignity, arguing that human beings require a certain degree of respectful treatment, not because of any requirements of social norms, but because they are human beings. It is precisely because others exist as rational agents, Kant said, and thus are vulnerable to being thwarted or undermined unfairly in various ways, that people must accept categorical imperatives that serve to help us universalize behavior. Kant's fundamental contention regarding this, according to Paton, is that "an absolutely good will, and even the human being capable of manifesting such a will, cannot be subordinated as a means to any object of merely relative worth without contradiction—that is, without a breach of rational and coherent willing" (1971, p. 177).

Indeed, Kant said that true moral beings should attempt to go even further: to seek to *advance* the interests of others and work on behalf of their happiness. This is one of what Kant called in his *Metaphysics of Morals* a contingent, or "imperfect," obligation to be virtuous: "The duty has in it a latitude for doing more or less, and no specific limits can be assigned to what should be done" (1797/1991, p. 393). Kant's principle of humanity, we should recall, establishes the philosophical link between the basis for our duty to respect the free will of others and duties that may result. His theory of human dignity argues why people are obligated to make this link into something that manifests itself in their daily lives.

Unlike rules of law, which generally set forth boundaries of our behavior and guide us on what we *cannot* or *should not* do, the focus of ethics, as noted, is more active, or positive: It deals with what people *ought* to do as moral agents with personal and social obligations. Recall that for Kant, these moral obligations arise from the absolute value he places on the human free will and reasoning capacity. Paton said this is what it means to take Kant's abstract categorical imperative and apply it "positively" in everyday life: "[The principle] bids us to act on the maxim of furthering the ends of rational agents. . . . This positive interpretation is for Kant the basis of positive and ethical, as opposed to legal, obligations" (p. 172).

As Paton said, "We shall never understand Kant aright unless we see him as the apostle of human freedom and the champion of the common man" (p. 171). Those truly serious about valuing the idea of human freedom must accept Kant's claim that the value of human freedom rests not on our mere existence as living and breathing organisms on the earth, but on our power of reason. It is the existence of our free will (or *Willkür*), our existence as rational beings, that requires freedom to be given paramount value. Our rationality and free will are what set us apart from the animal kingdom. And only freedom can enable the exercise of both. So, Kant said, in accepting the value of freedom, we are not only acting in our personal interest in ensuring our ability to think and move about without undue restrictions; we are doing so because of

our innate and, Kant said, absolute, value as rational beings who possess the faculty of reason.

[Moral agents] have a duty to honor the value of humanity's capacity for reason.

As moral agents, people do not have a duty to respect the reasoning capacity of others because it is the "fair" or polite thing to do; they have a duty to respect the reasoning capacity of others because they have a duty to honor the value of humanity's capacity for reason. Once Kant links freedom and the duty to honor everyone's "will" to reason, the importance of the concept of transparency in all of our communication with others becomes clearer. "The dishonor that accompanies a lie also accompanies a liar like his shadow," Kant wrote in his *Metaphysics of Morals* (1797/1991, p. 225).

Contrary to conventional cultural claims about lying, which generally say a lie is wrong because of the harm it does to the receiver (a teleological argument), Kant is largely unconcerned with this. Any harm to others caused by a lie may be worth avoiding, but Kant said this harm "is not what distinguishes this vice" (1797/1991, p. 225). Remember that the focus of Kant's moral system remains steadily on *duties*; he has little concern for making moral judgments on the *consequences* of acts. Consequences have no power to determine whether an act is moral or immoral, Kant said; that is decided by how well we understand our duties and to what extent we carry them out. So it is not the mere consequences of a deception that should be used as a justification to reject it; it is morally objectionable because, *by its very nature*, it assaults our capacity for rational thought and thwarts the exercise of our free will. Kant's principle of human dignity culminates, as it were, in the "moral contempt" he reserves for untruthfulness:

By a lie a man throws away and, as it were, annihilates his dignity as a man. A man who does not himself believe what he tells another (even if the other is a merely ideal person) has even less worth than if he were a mere thing; for a thing, because it is something real and given, has the property of being serviceable so that another can put it to some use. But communication of one's thought to someone through words that yet (intentionally) contain the contrary of what the speaker thinks on the subject is an end that is directly opposed to the natural purposiveness of the speaker's capacity to communicate his thoughts, and is thus a renunciation by the speaker of his personality, and such a speaker is a mere deceptive appearance of a man, not a man himself. (1797/1991, pp. 225–226)

So what of the claims of O'Neill (2002) that our culture of increasing transparency has succeeded only in reducing public *trust*; that prominent calls for transparency will only "encourage the evasions, hypocrisies and half-truths that we usually refer to as 'political correctness,' but which might more forthrightly be called either 'self-censorship' or 'deception' "? (p. 73). It is important to note that O'Neill's concern is primarily the notion of *trust* and what is required to increase it in our daily lives. And as she points out, merely requiring an increased level of transparency cannot be expected to accomplish this. And it is likely, as she argues, that transparency can even be expected to exacerbate our increasing information-overload culture to the detriment of true understanding.

*The lack of transparency is
a prerequisite for all
deceptive acts.*

However, O'Neill here appears to be divorcing the *effect* of deception from the *intent* of the deceiving communicator, and emptying the concept of transparency of its essential content as a result. She is right to claim that "deception is the real enemy of trust" (2002, p. 70). But as we have seen, transparency is tightly bound up with the Kantian duty of acting in ways that respect the humanity—or, more precisely, the rational capacity and the free will to exercise that capacity—of others. We fail in this regard when we are not upfront about our intent or purpose. Contrary to O'Neill's distinction, all deception lacks the element of transparency, even if transparent behavior fails to result in the elimination of deception in our dealings with others. Even if transparency is a necessary if not sufficient condition for eliminating deception, *the lack of transparency* is a prerequisite for all deceptive acts.

Transparency also is a necessary condition for O'Neill's aim of increasing public trust, even if it is not sufficient to accomplish this; by acting with openness in our dealings with others, we are enabling others to exercise their rational capacities and thus respecting their free will; it is the *result* of their reasoning capacities (and not merely the exercise of them) that will determine whether the exchange results in a degree of trust. Efforts and expectations of transparent behavior merely open the door for the hard work of deliberative dialogue, assessment of claims, of sorting through potentially overwhelming volumes of complicated and often conflicting data—and only then can people begin to weigh what claims and sources deserve their trust.

Conclusion

Kant attempted to lead us, with an inexorable logic, down a path that establishes the concept of human dignity as an essence that demands something of us in everything we do. Lying and acts of deception, then, become concrete assaults on our dignity. Transparency, or truthful forthrightness, is not just another vogue word, according to Kant; it defines much of what it means to live an ethical life. His articulation of the concept of transparency, through his theory of human dignity, challenges us with a question: Do we have the moral courage to do more than repeat empty claims about how we value truth and integrity, all the while exploiting people and situations when it is convenient or serves our own interests? Are we up to breathing life into our values and living our lives with a concern for the dignity and well-being of others in everything we do?

Similarly, Kant's moral system lends a force and a substance to the notion of human free will that reveal the emptiness of our tendency to mouth platitudes about our right to "liberty" for its own sake. Freedom is *not* just another word, Kant is saying; it *defines* us as moral agents and thereby comes with a serious duty, or obligation.

The challenge Kant posed here is radical indeed—particularly for an individualistic, objectifying, commerce-driven culture such as ours. What he asked us is this: Are we up to the task of taking seriously what normally receives only lip service? Rather than reveling righteously in our liberty to do almost whatever we want, do we value freedom enough to let it define how we treat others? Are we ready to respect limits on our own freedom if that is what it means to meet our duty to allow our fellow human beings to exercise their free will?

Kant's notion of "duty" to others here is really a core principle in the journalistic mission to "serve the public." This notion of "duty" also is reflected in increasing efforts by journalists and news organizations to respond to calls for greater accountability in what they do. Heightened interest in and acceptance of standards of transparency are changing the way people in the media business do their jobs. In the world of journalism, news organizations such as the *Dallas Morning News* now use their own blogging sites to explain newsroom decisions (Willey, 2003). Individual reporters are using their blogs to provide links to sources and other materials to help readers assess their work (J. B. Singer, 2005). This heightened interest in and acceptance of standards of transparency is found in the realm of public relations as well, echoing as it does the pledge among public relations practitioners to make sure their service to clients also conforms with the broader "public good."

It should be apparent that the concept of transparency is more than a platitude. The Latin preposition *trans* means movement, and *parent*

means visible. Rather than connote the passive, conventional image of transparency as “allowing everything to be visible,” Oliver (2004) argued that today’s “new” transparency implies an increasing expectation by various stakeholders for “active disclosure.” “In other words, the idea of motion or action in transparency has returned to a much earlier understanding of the term, with motive shifting to the left of the equation—putting new *responsibilities* [emphasis added] on the observed” (Oliver, 2004, pp. 3–4). As Kant has shown us, the concept speaks to the core of what constitutes human dignity and what actions respect or dishonor that dignity. The concept, in other words, should be understood as an essence of ethical behavior. And because transparency by definition rests in the nature of our interaction—our communication—with others, it must inform every decision made by those in the media industries.

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