What Should We Teach About Formal Codes of Communication Ethics?

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First, this article summarizes major arguments levied against codes. Second, standards for a sound ethical code are presented. Third, a trend is described toward more concrete codes developed by specific communication organizations. Finally, positive functions of codes are examined, with special emphasis on two: the argumentative function and the character-depiction function.

Formal codes of ethics have been adopted or proposed by various communication-oriented professional associations, business organization, and citizen action groups in such fields as commercial advertising, public relations, technical writing, organizational consulting, print and broadcast journalism, and political campaigning. For some people, formal codes are a necessary mark of a true profession. For others, codes are worthless exercises in vagueness, irrelevance, and slick public relations.

To aid in deciding their own position, students in communication courses need to understand the range and complexity of pro and con arguments surrounding formal codes (Johannesen, 1983, p. 143–157). I will summarize the major criticisms levied against codes. Then, standards for a sound ethical code will be presented. Next, a trend will be described toward more concrete and enforceable codes developed by specific communication organizations. Finally, a number of positive functions of codes will be examined, with special emphasis on two.

What are some typical objections to formal codes of ethics? (See Black & Barney, 1985-86; Christians, 1985-86; Merrill, 1977, pp. 129-138; Merrill, 1985-86; Howell, 1982, p. 197; Hulteng, 1985, pp. 205-207; Nimmo, 1981.) First, frequently they are filled with meaningless language, “semantically foggy cliches”, and thus are too abstract, vague, and ambiguous to be usefully applied. For example, outsiders may interpret the unclear terms broadly as involving stringent standards while persons governed by the code may interpret them narrowly as allowing lesser standards (Kultgen, 1983, pp. 229-232). Second, their existence in the mass media and political campaigning seems not to have promoted a significant improvement in ethicality of communication. Third, there is a danger that a code will be viewed as static, as settling matters once and for all. Fourth, standards in a code may appear universal when they are not. Contrary to face-value assumptions, the standards may not easily apply to cross-cultural communication or
be flexibly applied in unique situations. Fifth, especially within journalism, some object that a formal code would inappropriately restrict the journalist’s constitutional rights of free speech and free press. Sixth, many codes are castigated because they lack effective enforcement procedures to punish violators; they have no “teeth”. Finally, many codes are dismissed as mere public relations ploys aimed merely at enhancing the group’s image of responsibility with the public.

**Eleven Guidelines**

Many of these objections might be lessened or removed. Drawing upon suggestions made by Richard DeGeorge (1986), John Kultgen (1983), and others, we can describe guidelines for developing a sound formal code of ethics. First, the code should make clear which of its statements are *ideal* goals to be striven for but often not fully attained and which statements are *minimum conditions* which must be met to be considered ethical and to avoid punishment (Elliott-Boyle, 1985-86; Johannesen, 1983, pp. 2–3, 100–101). Second, under ordinary circumstances the code should not require heroic virtue, extreme sacrifice, or doing right no matter what the obstacles. Rather, it should be aimed at persons of ordinary conscientiousness and persons willing to follow it on the condition that others do likewise (Kultgen, 1983, p. 251).

Third, language in the code should be clear and specific. Vagueness and ambiguity should be minimized. Key terms in code provisions, especially abstract value-laden terms, could be clarified through further explanation and concrete illustration. Among such terms might be distort, falsify, misrepresent, mislead, deceive, rational, reasonable, and public interest. Fourth, code provisions should be logically coherent. That is, relationships among provisions should clear as to sequence, precedence, and scope (Kultgen, 1983, pp. 232–235; Meyer, 1987, p. 22). For example, there could be some indication of the precedence among obligations to the client, the employer, the public, and the profession.

As a fifth guideline, the code should protect the general public interest and the interests of persons served by the group. The code should not be self-serving; it should not protect interests of the group at the expense of the public (DeGeorge, 1986, p. 342). Kultgen (1983) goes so far as to urge the obligations of distributing the group’s services more fairly in society, of providing full information to clients concerning viable options, their chances of success, costs, and long-term consequences, and of avoiding paternalistic abuse of authority and expertise to pressure clients (pp. 257–260). Sixth, code provisions should go beyond general admonitions against lying and cheating to focus on those facets of the group’s functions “that pose particular and specialized temptations to its members” (DeGeorge, 1986, pl. 342). Seventh, a code should stimulate continued discussion and reflection leading to possible modification or revision (DeGeorge, 1986, p. 346; Kultgen, 1983, p. 239). Eighth, a code for a profession or a business
should provide ethical guidance for the professional as a whole, not just for individual members. For example, what action should be taken and by whom when the group as a whole, as an institution, acts unethically? (DeGeorge, 1986, pp. 343–344; Bayles, 1981, p. 24).

As a ninth guidelines, the code should make clear the general moral principles on which it is founded, the basic ethical values from which its provisions flow, such as justice, fairness, respecting rights of others, and weighing the consequences of an act for all those affected by it. DeGeorge (1986) illustrates the point: “The injunction found in one code, to act in such a way that you would not be ashamed to have your actions exposed to the public—for instance in the headlines of a local newspaper—is a step in the right direction” (p. 345). It is important to know not only what is the ethical thing to do but also why it is right. Tenth, provisions in a code for a specific organization should be developed through participation of a wide range of members of that organization. This means substantial participation by both management and labor, employers and employees, corporations and unions, higher and lower level professionals (Davenport & Izard, 1985-86, pp. 7–8; Kultgen, 1983, pp. 247–250; Christians, 1985-86, p. 19).

A final, and obvious, guideline is that the code should be enforceable and enforced. There should be procedures and mechanisms for bringing charges and applying penalties. An enforcement system would provide mechanisms for interpreting what a code means and what it requires. A committee, board, or high level executive officer, supported by necessary funds and staff, should administer fair procedures for enforcing violations, investigating allegations, and reaching decisions (DeGeorge, 1986, p. 342; Kultgen, 1983, pp. 250–253; Bowie, 1979, pp. 236–238; Bayles, 1981, pp. 139–143). Possible punishment options might include an informal warning, a request to cease a practice, a formal reprimand that becomes part of a record, suspension without pay, and expulsion or firing, possibly with a public explanation that justifies the action and names names (Davenport & Izard, 1985-86, p. 8; Olasky, 1985-86, p. 46; DeGeorge, 1986, p. 347).

Codes of national associations, while useful as general guidelines and to stimulate reflection on ethical issues, usually lack the practicality, detail, and comprehensiveness necessary for maximum effectiveness. However, there is a definite trend in various individual print and broadcast news organizations, and in some others types of companies, toward setting up their own more precise and enforceable ethical codes. Columbia Broadcasting System (CBS), National Broadcasting Corporation (NBC), American Broadcasting Company (ABC), the Washington Post, Louisville Courier-Journal, and the Milwaukee Journal all have done so (Christians, 1985-86, pp. 18–19; DeGeorge, 1986, p. 344; Goodwin, 1983, pp. 17, 155, 184–186, 207–210, 295; Swain, 1978, pp. xi, 85, 114, 116–134).

Crable and Vibbert (1986, pp. 111–112, 120–124) and Kultgen (1983, pp. 247–250), suggest that at the level of individual companies a contractual approach to codes of ethics might be
utilized. Through negotiation employer and employees (or even company and client) would agree to a legally binding ethics contract that spells out mutual rights, obligations, objectives, and expectations. Such might be possible for companies in journalism, public relations, advertising, or communication consulting. Provisions of the ethics contract would be enforceable in court.

I want to focus now on some of the useful functions of precisely worded ethical codes (Bok, 1979, p. 260; Garrett, 1963, pp. 166–168; Kintner & Green, 1978; DeGeorge, 1986, pp. 345–346; Christians, 1985-86, p. 25; Meyer, 1987, p. 20). First, codes can educate new persons in a profession or business by acquainting them with guidelines for ethical responsibility based on the experience of predecessors and by sensitizing them to ethical problems specific to their field. Second, codes can narrow the problematic areas with which a person has to struggle; of course the more complex or unusual ethical problems still remain for deliberation. Third, the very process of developing the formal code can be a healthy one that forces participants to reflect on their goals, on means allowable to achieve those goals, and on their obligations to peers, to clients or customers, to employees, and to the public at large. A fifth function, openly urged in some organizations, is that an appropriate and effective voluntary code may minimize the need for cumbersome and intrusive governmental regulations.

I move now to two additional functions of codes that I believe merit serious consideration, an argumentative function, and a character-depiction function. By an argumentative function I mean that codes can serve as a starting point to stimulate professional and public scrutiny of major ethical quandaries in a field (Meyer, 1987, pp. 23–24). They could be the basis from which to launch a public debate over a specific communication practice. Or the standards in a code could provide focus as a corporation, profession, or other organization debates the ethicality of a communication policy prior to adoption or approval of that policy. As another argumentative application, provisions in a code could be cited by communicators as justification for saying “no” to a communication practice requested of them by peers or employers (DeGeorge, 1986, p. 346).

Richard Crable (1978) believes that formal ethical codes provide a visible and impersonal standard to which both critics and defenders of a communication practice can appeal in arguing their judgment. The codes provide a “comparative standard by which to examine and justify behavior (p. ). Spero (1980) illustrates this argumentative function by proposing a comprehensive program to reduce the deceptiveness and superficiality of political campaign advertising, especially televised political ads. At the heart of Spero’s program would be a “tough public interest” group of citizens who would administer a detailed code of ethics for political television commercials. The administrative group implementing the new code would not wait to receive complaints, but would actively monitor key campaigns to seek out violations and quickly
expose them. The code would function, contends Spero, to “provide a public benchmark, a reasonable standard, by which to measure those who would lead us” (pp. 185-211). While he admits that no code can completely “end corruption, malfeasance, arrogance, and lies,” he believes that the proposed code would “force the offending politician into the light,” there to “squirm, if only briefly” (pp. 185–211).

By synthesizing and adapting the separate analyses of Richard Crable (1978) and of Peter Brown (1981, pp. 291–294), we can sketch a range of argumentative claims that critics or defenders of a communication practice might use to assess ethicality in light of a code. It could be argued that a particular practice: 1) clearly is contrary to a precise, relevant, well justified code; 2) is ethically suspect even though it falls outside the boundaries of any established code; 3) is ethical because the code invoked is irrelevant or inappropriate; 4) is unethical because, while the strict letter of the code was honored, the spirit of the code was violated; 5) is ethical because key terms of the code are too vague and ambiguous for precise or meaningful application; 6) is ethically justified because one applicable code is superseded by another relevant code, or because higher values take precedence over the formal code; 7) is ethical because the facts of the situation, including intent and context, are unclear, and 8) should be judged primarily by legal statutes rather than by an ethical code.

In her book, *Professional Ethics*, Lebacqz (1985) suggests that formal ethical codes, especially in the professions, should be seen as having a function quite different from the typical one, namely as rules for specific behavior or as admonitions concerning specific instances. In her view, we must look beyond the action oriented language of most codes (“do this,” “avoid that”) to the “overall picture of the type of person who is to embody those actions” (p. 68). As reconceptualized by Lebacqz, a code embodies a picture of the moral character to be expected of a professional in a given field; it would depict an ethical communicator’s persona collectively and over time. She contends that “codes do not give specific guidance for action as much as they say something about the character traits necessary for someone to be a professional” (p. 69). In short, she says, “codes are geared primarily toward establishing expectations for character.” On this view, codes are “guideposts to understand where stresses and tensions have been felt within a professional and what image of the good professional is held up to assist professionals through those stresses and tensions” (pp. 68-71).

According to Lebacqz, a wide range of professional codes reflect a core of central character traits, ethical principles, or obvious duties: “justice, beneficience, non-maleficence, honesty, and fidelity” (p. 68). Often these are manifested in code provisions that collectively represent the ethical professional as fair, competent, honest, oriented toward the good of clients and society, and avoiding taking advantage of others by abusing knowledge or power.
Lebacqz believes that a “professional is called not simply to do something but to be something” (p. 71). At a fundamental level, codes depict a professional as “bound by certain ethical principles and as incorporating those principles into his or her very character” (p. 70). Ideally, a code depicts the professional as “a person of integrity who not only does the ‘right’ thing, but is an honorable person” (p. 76). For example, a trustworthy person not only keeps a confidence but is “thoughtful about the impact” of decisions on others and is “sensitive to their needs and claims.” An honest person “tries to avoid any kind of deception, not just explicit lies” (p. 79). Indeed, believes Lebacqz, “when we act, we not only do something, we also shape our own character . . . . And so each choice about what to do is also a choice about whom to be—or more accurately, whom to become” (p. 83). This function of codes as embodying desirable character traits more than specific rules for specific actions is, I urge, a function overlooked and one meritorious of serious consideration.

**Conclusion**

Charles Levy (1974) examined the codes of ethics of 89 organizations in various human service fields. His summary observation captures quite accurately the range and complexity of views on the functions and usefulness of formal codes:

> Codes of ethics are at once the highest and lowest standard of practice expected of the practitioner, the awesome statement or rigid requirements, and the promotional material issued primarily for public relations purposes. They embody the gradually evolved essence of moral expectations, as well as the arbitrarily prepared shortcut to professional prestige and status. At the same time, they are handy guides to the legal enforcement of ethical conduct and to punishment for unethical conduct. They are also the unrealistic, unimpressive, and widely unknown and ignored guides to wishful thinking. (p. 207)

**References**


