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AUTHOR Turner, John R.
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ABSTRACT

A research review examined the ethical responsibilities of a communicator in contemporary American society, particularly in governmental communication. Various scholars have suggested standards of ethical governmental communication and have questioned the ethics of governmental officials in several cases. Ethical analysis of President Ronald Reagan's rhetoric by Green and MacColl (1983), for example, shows a speaker considered "negligent or reckless" with the truth. Presidents Ford and Nixon's discourse has also received attention from communication ethics scholars. Scholars have identified several criteria of ethical governmental communication. Among these criteria are avoidance of the following: misrepresentation in the use of evidence and in the assertion of expertise; deception in the statement of governmental purpose; misuse of the practice of classifying documents; and criticism of the press to assure that governmental acts are viewed only in favorable terms. The philosopher Sissela Bok's view is that a governmental practice of telling minor lies in times of crisis can expand into what Bok calls "vast practices where the harm to be averted is less obvious." Another scholar suggests that to fail to keep abreast of public issues or to accept unacceptable answers from officials is to abdicate the responsibilities of citizenship. (Seventeen references are attached.) (SG)

An Analysis of Ethical Issues In Governmental Communication

John R. Turner
Instructor
Department of Speech
& Mass Communication
Towson State University
Towson, MD 21204

Running head: ETHICAL ISSUES

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An Analysis of Ethical Issues In Governmental Communication

Introduction

What should be the ethical responsibilities of a communicator in contemporary American society is a question being asked today by scholars in communication and various other disciplines. According to Johannesen (1983), "We should examine not only how to, but also whether to, employ communication techniques and appeals." He says, the question "of 'whether to' clearly is one not only of audience adaptation but also of ethics" (p. 9). Johannesen believes that "meaningful ethical guidelines," not inflexible rules, should be formulated to guide communication behavior and to evaluate the communication of others (p. 9).

The concern for ethics is nowhere more important than in governmental communication. According to Jaksa and Pritchard (1988), "Public trust in, and respect for, elected officials is fundamental to the effective functioning of a democratic government and its institutions. Cynical indifference can be as inimical to democracy as outright opposition and hostility" (p. 19). These authors believe that the cumulative effect of such governmental deceptions as the U-2 incident, Vietnam, Watergate, and the Iran-Contra affair "contributes to a crisis of confidence in public officials and makes the restoration of trust a serious challenge to American society" (p. 23). This paper,

therefore, will examine ethical issues which relate to governmental communication in particular, along with the guidelines which have been offered by those inside and outside of the communication field, and analyze specific examples to which governmental communication ethics have been applied.

Ethical Considerations

In summarizing definitions of communication ethics, Arnett (1987) says the consensus is on the importance of "choice-making" in a communication ethic. He says the relationship between choice-making and communication ethics can be traced back to the times of Aristotle and the concept of "phronesis." Arnett says Thomas Nilsen is best known for the choice-making perspective in communication ethics which states: "When we communicate to influence the attitudes, beliefs, and actions of others, the ethical touchstone is the degree of free, informed, and critical choice on matters of significance in their lives that is fostered by our speaking" (Nilsen, 1974, p. 46). According to Arnett, "If we are to be good choice-makers, we must actively pursue opportunities to ask ethical questions about the process and content of communication" (p. 55).

Johannesen (1983) synthesized a number of traditional lists of ethical criteria for persuasion to suggest general guidelines. Johannesen points out that the difficulty in applying these criteria results from people connecting different standards and

meanings to such key terms as: "distort, falsify, rational, reasonable, conceal, misrepresent, irrelevant, and deceive" (p. 21).

Among his criteria for ethical communication are the following: (1) Do not use false, fabricated, misrepresented, distorted, or irrelevant evidence to support arguments or claims; (2) Do not intentionally use unsupported, misleading, or illogical reasoning; (3) Do not represent yourself as informed or as an "expert" on a subject when you are not; (4) Do not deceive your audience by concealing your real purpose; (5) Do not distort, hide, or misrepresent the number, scope, intensity, or undesirable features of consequences or effects; and (6) Do not advocate something in which you do not believe yourself (pp. 21-22).

While Johannesen's (1983) ethical criteria encompasses all communication, other guidelines dealing specifically with governmental communication have been advanced by others. Gouran (1976) addressed seven areas of activity in which, historically, the behavior of governmental officials has been subject to "possible indictment as irresponsible" (p. 21). According to Gouran, these activities include the falsification of information released to the public, classification of documents, news management, intimidation of the news media, interference with the exercise of free speech, political espionage, and disguised communication (p. 21).

After reviewing specific historical examples, Gouran (1976) responds with a list of seven standards of evaluation which he believes are appropriate for each situation. Among the situations in which Gouran considers governmental communication "inappropriate and irresponsible" are when: (1) information released to the public, especially under circumstances involving its general welfare is deliberately falsified; (2) government officials classify government documents to purposely deceive or otherwise keep the public uninformed on matters affecting the well-being of private citizens; and (3) official news sources are deliberately used for the purpose of obscuring embarrassing and deceitful governmental acts (pp. 22-25).

The remaining standards proposed by Gouran are when: (4) the press is criticized for the purpose of assuring that governmental acts are viewed only in favorable terms; (5) governmental agents deliberately attempt to suppress or otherwise interfere with an individual's legitimate exercise of free expression within the limits defined by our courts; (6) the government engages in overt or covert acts designed to misrepresent a political candidate's, or any other citizen's character or position or to violate that individual's rights; and (7) government figures employ language for the purpose of deliberately obscuring the activity or idea it represents (pp. 26-29).

Gouran believes that, "By being sensitive to the actions and public statements of governmental officials, and by willingly

pointing to instances of 'irresponsibility,'" we can develop a "constructive role" in the maintenance and evolution of our social institutions. Such an activity should be undertaken, he says, "because it is right" (p. 30).

Philosopher Sissela Bok, in her book Lying: Moral Choice in Public and Private Life, says, "The moral question of whether you are lying or not is not settled by establishing the truth or falsity of what you say," but knowing instead "whether you intend your statement to mislead" (p. 6). Bok defines a lie as "an intentionally deceptive message in the form of a statement" (p. 16).

According to Bok, three circumstances have seemed to liars to provide the strongest excuse for their behavior. These circumstances include "a crisis where overwhelming harm can be averted only through deceit; complete harmlessness and triviality to the point where it seems absurd to quibble about whether a lie has been told; and the duty to particular individuals to protect their secrets" (p. 175). She points out, however, how these excuses in times of crisis can expand into "vast practices where the harm to be averted is less obvious and the crisis less than immediate." In addition, Bok emphasizes that white lies "can shade into equally vast practices no longer so harmless, with immense cumulative costs, and how lies to protect individuals and to cover up their secrets can be told for increasingly dubious purposes to the detriment of all" (p. 175). According to Bok,

"When these three expanding streams flow together and mingle with yet another--a desire to advance the public good--they form the most dangerous body of deceit of all" (p. 175).

Those who govern, Bok says, may believe lying is excusable when undertaken for "noble" ends by those trained to discern these purposes, and that a certain amount of illusion is needed in order for public servants to be effective. "If we assume the perspective of the deceived--those who experience the consequences of government deception--such arguments are not persuasive" (p. 178). According to Bok, "We cannot take for granted either the altruism or the good judgment of those who lie to us, no matter how much they intend to benefit us" (p. 178). She says we have learned that much deceit for private gain "masquerades" as being in the public interest; that deception even for the most unselfish motive, corrupts and spreads; and that we have lived through the consequences of lies told for what were believed to be noble purposes. Equally unimpressive, she says, is the argument that there has always been government deception, and always will be, and that efforts to draw lines and set standards are therefore "useless annoyances" (p. 179).

While admitting that deception can never be completely absent from most human practice, Bok believes there are "great differences among societies in the kinds of deceit that exist and the extent to which they are practiced" (p. 179). Bok states that differences are also apparent among individuals in the same

government and among successive governments within the same society. It is, therefore, "worthwhile," she says, trying to discover why such differences exist and seeking ways of raising the standards of truthfulness (p. 179).

Even if government officials believed a deception was genuinely necessary to achieve some important public end, Bok contends that those who make such decisions "are always susceptible to bias" (p. 182). She says that they overestimate the likelihood that the benefit will occur and that the harm will be averted, and underestimate the chances that the deceit will be discovered, while ignoring the effects of such a discovery on trust. These officials also underrate the comprehension of the deceived citizens, as well as their ability and their right to make a reasoned choice (p. 182). According to Bok, "These self-serving ends provide the impetus for countless lies that are rationalized as 'necessary' for the public good" (p. 183). Even if people will not be better off from a particular lie, these leaders, nevertheless, conclude the public will still benefit by all such lies that keep the right people in office.

As to exceptions for deception in public life, Bok says "it is never more important than in public life to keep the deceptive element of white lies to an absolute minimum, and to hold down the danger of their turning into more widespread deceitful practices" (p. 186). Public officials who refuse to give information about their private lives are justified in their

actions, but "the right to withhold information is not the right to lie about it." Lying under such circumstances she says "bodes ill for conduct in other matters" (p. 186). Certain forms of deception may be debated and authorized in advance by elected public officials. Bok emphasizes, however, that such practices should be publicly regulated and openly debated and agreed upon in advance so that abuses will be avoided. Public officials cannot assume that consent would be given to such practices.

Another exception would be the "temporizing of a lie when truthful information at a particular time might do great damage" such as if news leaked out about the devaluation of currency, unfair profits for speculators might result. In these circumstances, however, Bok believes it much better to refuse comment than to lie since a lie will result in mistrust when what was denied becomes the truth. The government must build a tradition, however, of not commenting on such matters in a manner that a "no comment" is taken as really "yes" (p. 188). In situations where the government regards the public as frightened, hostile, or highly volatile, withholding information or possibly lying may be justified, especially if it is acknowledged and defended as soon as the threat is over, but such cases are "so rare that they hardly exist for practical purposes" (p. 188).

According to Bok, those in government and other positions of trust "should be held to the highest standards." In summary, she says, "Some lies--notably minor white lies and emergency lies

rapidly acknowledged--may be more excusable than others, but only those deceptive practices which can be openly debated and consented to in advance are justifiable in a democracy" (p. 191).

Presidential guidelines on lying have been addressed by Orman (1980). He contends a president may not justifiably lie to the public if he or she takes action (1) that is unconstitutional, illegal, or unethical; (2) when means and ends are not compatible; (3) just because other nations do it; (4) when an open act would suffice; or (5) when an honest action would achieve the same goal (p. 201). On the other hand, a president may justifiably lie (1) to save the nation from nuclear war; (2) to protect legitimate executive secrets if it is his or her only option; and (3) during a constitutionally declared state of war (p. 205).

Orman believes the first step toward some new system of accountability for presidential secrecy should be a "congressional definition of legitimate presidential secrets" (p. 196). Legitimate secrets would include specific details about the development of ongoing diplomatic negotiations, covert intelligence-gathering means, defense contingency plans, the nature of presidential advice, and details about the ongoing negotiations of other nations (pp. 197-198). Orman believes a new system of accountability could be formed by combining his legitimate secrets with the "automatic release" system of Halperin and Hoffman (1977). Their system would require

presidents automatically to release information to Congress and the public about such things as American forces or nuclear weapons abroad, financing of foreign combat operations or foreign military forces, and actions in violations of laws (pp. 199-200).

Principles of governmental responsibility to inform the public are suggested by Hugo Bedau in Norman Bowie's (1981) Ethical Issues in Government. Included among the government's responsibilities, according to Bedau, is its duty to inform the public of "all the laws it enacts, including regulations it promulgates and judicial processes it initiates, as well as its own deliberations in the formation of policy, subject only to such exceptions as may be required by national security and individual privacy" (p. 219). Second, the government has the responsibility "not to interfere with the public's efforts to inform itself about governmental activities relative to establishing and enforcing the law, or to interfere with the public's efforts to inform itself about its own activities" (pp. 219-220). Bedau identifies two considerations when the government's responsibility to inform the public can "legitimately be overruled." These include privacy considerations which protect a person against slander and libel, and secrecy which is necessary for the national interest (p. 220).

Others who have addressed the subject of governmental ethics include Novak (1974). He claims two kinds of moral sophistication must be acquired since, "to become involved in politics is to struggle against structures in which human lies, corruptions, and weaknesses are thickly nested; and also to struggle against oneself" (p. 277). On the one hand, he says, the "personal morality" of those who enter politics is affected by a "host of conflicting pressures" such as money, power, status, loyalty to factions and to persons. In addition, he says, cannons of public morality must also be followed since "one acts not only as the private person one is, but also for the community one represents" (p. 278). Novak contends that a political leader, in pursuing ends that are good, often will have to employ means that they would not use in their personal life (p. 283).

Basic tenets for democratic morality are provided by Redford (1969). He believes that democratic morality requires meaningful participation which relies on "(1) access to information, based on education, open government, free communication, and open discussion; (2) access, direct or indirect, to forums of decision; (3) ability to open any issue to public discussion; (4) ability to assert one's claims without fear of coercive retaliation; and (5) consideration of all claims asserted" (p. 8). Redford says a society in which all of these conditions exist is an open society. According to Redford,

"democratic morality posits the open society as a precondition for attaining the humane society" (p. 8).

The moral dilemmas of public officials arise in a variety of circumstances, according to Brown (1981). He divides those circumstances into three principal categories of simple moral deviance, ambiguity, and moral dilemmas (p. 291). Simple moral deviance is when a public official fails to observe some "clear, relevant, and well-justified moral rule" such as when a public official fails to tell the truth for reasons of "personal enrichment, convenience, or political advantage" (p. 291). Moral ambiguities arise "when the general moral rules or the rules characterizing a particular role do not give adequate guidance about how to act" (pp. 291-292). An example of the third category is when an officeholder's obligations as a public official, "conflict either with general moral precepts or with his or her obligations as a citizen" (p. 293).

Specific Assessments of Governmental Communication Ethics

Several scholars have analyzed ethical issues in regard to specific governmental communication situations. Johannesen (1985) assessed the ethicality of President Reagan's rhetoric as to whether he played "fast and loose" with the facts, and whether his rhetoric intentionally employed "ambiguity and vagueness." On the first point, Johannesen concluded that the President was "ethically irresponsible in rather regularly employing erroneous,

misleading, or atypical information" (p. 236). Johannesen found numerous misstatements of fact in a 1982 Reagan press conference, including inaccurate and misleading statistics on unemployment and on an Arizona program to feed the elderly. Johannesen also found fault with Reagan's misuse of anecdotes in regard to alleged widespread abuses in the federal welfare, food stamp, and school lunch programs. In examining charges of the ambiguity and vagueness of a 1982 joint communique between the United States and China, Johannesen concluded that its language "would seem to be used ethically" (p. 238).

President Reagan has also been the subject of ethical analysis by Green and MacColl (1983). These authors concluded, "No modern president has engaged in so consistent a pattern of misspeaking on such a wide range of subjects--and shown no sense of remorse" (p. 8). In compiling over 300 examples, they contend Reagan has been guilty of serious errors involving "obvious exaggerations, material omissions, contrived anecdotes, voodoo statistics, denials of unpleasant facts, and flat untruths" (p. 9). The authors refrain from labeling the President a liar, concluding instead that "Reagan is telling the truth--not our truth, but his truth" (p. 11). The authors, however, do believe the more than 300 errors do make a "strong case" for Reagan being considered "reckless or negligent" with the truth. Green and MacColl attribute the errors to such reasons as Reagan being out-of-date with present reality, intellectually lazy, and

isolated from a diversity of opinions. One of the public costs of Reagan's false facts, "is a loss of trust in government" (p. 18). According to Green and MacColl, the problem is "every presidential truth, when unmasked, makes it harder for subsequent presidential information to be accepted and acted on" (p. 19).

Of course, the ethics of other presidents besides Reagan have been questioned. Dan Hahn labeled the public communication of President Ford and his administration concerning the Mayaguez incident as "an example of corrupted discourse" (Denton & Hahn, 1986, p. 15). The incident involved the capture by the Cambodian government in 1975 of a small American vessel off the coast of a Cambodian island. Hahn takes exception with President Ford's description that the seizure took place on the "high seas" and was an act of "piracy," when in fact Cambodia had a legal right to seize the ship since it was within the 12-mile limit of territorial waters.

According to Hahn, a second major way the Ford Administration "corrupted the discourse" was not allowing time for diplomacy to work, but talking as if it had. Hahn states, "it is clear that the administration's rhetoric surrounding the capture and recapture of the Mayaguez corrupted the discourse by implying that all appropriate diplomatic efforts had been taken when, at best, that is a doubtful proposition" (Denton & Hahn, p. 19). Hahn goes as far as to say that the government "willingly lied" about the 'failed' diplomacy "in order to attain

support for the military operation." President Ford further corrupted the discourse, Hahn states, by making false claims that he had the legitimate authority to take the actions he did, when in reality he did not.

Richar Nixon has been a president who has received plenty of attention from communication ethics scholars. Karen Rasmussen in analyzing President Nixon's campaign for re-election in 1972 describes it as a "strategy of avoidance" which "effectively dispersed the President's personal risk by freeing him from the burden of confrontation, of attack and defense of policy and ideology" (Johannesen, 1983, p. 210). This tactic of "avoiding debate on vital issues and of using little concrete evidence and argument when such issues were discussed" is considered unethical by Rasmussen (p. 203). She condemns the avoidance strategy as unethical because "the attitude exhibited and implied toward voters was a dehumanizing one assuming them to be things (not persons) to be manipulated and controlled" (p. 203). She also criticized the strategy because "it undermined informed, reflective decision making and substantive debate crucial to a healthy democratic system" (p. 203).

Bok (1978) goes back to the Johnson Administration to provide an example of "a momentous deceit of the American public" (p. 180). This was in regard to President Johnson's claim during the 1964 presidential campaign that he was the candidate of peace, compared to Republican Barry Goldwater, because he would

not escalate the Vietnam War. In actuality, he had already been advised by a growing consensus within his administration that an escalation would be necessary, but that nothing should be said until after the November election. Within months after his re-election, Johnson ordered massive bombing raids over North Vietnam. According to Bok, "Deception of this kind strikes at the very essence of democratic government." Unless it can be shown that there has been genuine consent to deceit, she says, deceiving the people for the sake of the people is "a self-contradictory notion in a democracy" (p. 182).

The communication ethics of former Secretary of State Alexander Haig have been analyzed by Johannesen (1988). Characterizing the former Reagan cabinet member's communication pattern as "Haigspeak," Johannesen contends that Haig's manner "does warrant our ethical censure" (p. 8). Johannesen bases his case on Haig's interchangeability of parts of speech such as in statements made by Haig that, "I'll have to caveat my response," and I cannot answer the question "in the way you contexted it" (pp. 2-3). Confusing metaphors were also singled out, such as "I would not want to saddle myself with a statistical fence," and "the sterility of drawing lines around America's potential options constitutes the promulgation of roadways for those who are seeking to move against America's vital interests" (pp. 3-4).

In addition, Johannesen takes exception with Haig's inflated style. For example, on an agreement to free American hostages in

Iran, Haig said, "I think it's important for those who analyze and assess the pros and cons of these agreements, which were arrived at under the most unprecedented and unusual conditions in our history, be recognized to be perhaps the most complex series of international agreements that I have been exposed to" (p. 4). As to whether Haig used such statements to intentionally "cloud, divert, or deceive," Johannesen contends there were some "minimal indications" that Haig did intentionally at times employ Haigspeak (p. 7).

Johannesen believes that communicators have an ethical obligation to "double-check the clarity and soundness of their information, evidence, and reasoning before they present them to others" (p. 7). Goverrment officials, he says, are "ethically irresponsible" if they use "obscure, or jargon-laden language that clouds ideas, even if that use is not intended to deceive or hide" (p. 7). Such officials, he says, "should be obligated to communicate clearly and accurately with citizens in fulfillment of their governmental duties" (p. 7). Johannesen concludes that Haig's communication ethics were at least "questionable" whether used deliberately or not, and that he "simply was not meeting his ethical responsibility to the American public" (p. 9).

Conclusion

The purpose of this paper has been to summarize standards of governmental communication ethics which have been suggested by

scholars within and outside the communication field, and present specific cases where the ethics of governmental officials have been questioned. It is hoped that such knowledge of ethical standards and the situations in which they can be applied will create an increased commitment to hold government officials accountable to certain standards of ethical communication. The importance and necessity of such awareness is supported by figures which show that in regard to presidential communication, in particular, American presidents between 1945 and 1985 spoke in public twenty times per month or approximately one speech per working day (Hart, 1987, p. 7). That means our presidents have spoken to the public over 10,000 times since 1945.

Our responsibility to governmental communication ethics might be summarized by Ladd (1968) who suggests what America needs "is not more voters, but more good voters who are informed, understanding, and reasonable" and who can "vigorously and angrily express their disapproval when the government is caught in a lie or when the truth is withheld" (p. 226). He says to do less than, keeping abreast of public issues, making your views known to your representatives, refusing to accept unacceptable answers, familiarizing yourself with candidates' records, and exercising your right to vote, "is to abdicate the responsibilities of citizenship" (pp. 226-227).

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