

1998

## Journalism, Rational Subjectivity, and Democracy

Elliot D. Cohen

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### Recommended Citation

Cohen, Elliot D. (1998) "Journalism, Rational Subjectivity, and Democracy," *University of Florida Journal of Law & Public Policy*: Vol. 9: Iss. 2, Article 4.

Available at: <https://scholarship.law.ufl.edu/jlpp/vol9/iss2/4>

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# JOURNALISM, RATIONAL SUBJECTIVITY, AND DEMOCRACY

*Elliot D. Cohen\**

I. JOURNALISM AS A RECORD OF EXPERT NEWS SOURCES . . . .	192
II. JOURNALISM AS A SYSTEM OF BALANCED PERSPECTIVES . . .	193
III. RATIONAL SUBJECTIVITY IN JOURNALISM . . . . .	197
IV. TYPES OF BIAS IN JOURNALISM . . . . .	198
A. <i>Cognitive Bias</i> . . . . .	198
1. Eyewitness Fallacy . . . . .	198
2. Overgeneralizations . . . . .	199
3. Distortions of Risk . . . . .	200
B. <i>News Slanting Bias</i> . . . . .	201
C. <i>Organizational Bias</i> . . . . .	204
V. CONCLUSION . . . . .	206

The primary obligation of the press in a democratic society is to keep the citizens informed and, in the process, to keep a watchful eye on governmental abuses of power. The manner in which this primary duty should be executed is, however, a subject of considerable debate. A central problem concerns the ability of the press to be objective purveyors of news. Insofar as journalists are subject to biases, prejudices, and stereotypes, and lack familiarity with the issues about which they report, entrusting them with a key element in the survival and prosperity of democracy can be risky.

In this essay, two opposing views of journalistic objectivity will be examined and shown to be problematic, one a defense of journalistic objectivity and the other supporting a subjective approach to journalism. Instead, an eclectic position incorporating “rational” and “subjective” dimensions will be presented. According to this position, journalists should be free to creatively report the news as they see it, albeit within general limits set to prevent journalistic biases. Toward this end, three broad types of journalistic bias will be defined and examined. I will argue that democracy is best promoted when journalists and news organizations strive to reduce faulty thinking in their news accounts.

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## I. JOURNALISM AS A RECORD OF EXPERT NEWS SOURCES

One way of addressing the problem of journalistic objectivity is to make journalists a conduit for *valid news sources*, permitting them to primarily report what these sources say. According to this view, journalists should avoid providing their own subjective interpretation of the news. This view was entertained by Walter Lippmann in his classic work, *Public Opinion*.<sup>1</sup> According to Lippmann, a competent grasp of a wide range of issues requires extensive and oftentimes specialized knowledge outside the purview of journalistic training.<sup>2</sup> These issues are therefore best left to institutions having the special expertise to deal with them. For example, in Lippmann's view, a journalist may be qualified to report that "labor groups C and M but not X are underpaid" after this information has been carefully processed by a labor research organization that has "the instruments of knowledge" to make such determinations.<sup>3</sup> Since the reporters themselves have neither the time nor the training to do the actual investigation, their own subjective pronouncements on this subject are likely to be poorly researched and misguided.

Examples of journalism based upon insufficient knowledge of a specialized subject matter in support of Lippmann's thesis are not hard to find. For instance, Howard Kahane has offered the following example of a *Time* magazine article that reviewed the autobiography of Bertrand Russell: "[Russell's] historic collaboration with Alfred North Whitehead . . . [that] [sic] resulted, after ten year's labor, in the publication of *Principia Mathematica*, named after Newton's great work, *which in many respects it superseded*."<sup>4</sup> As Kahane points out, "[t]he writer didn't mention in which respects Russell's work superseded Newton's *Principia*, since there aren't any. Newton's *Principia* formed the foundation of mechanics, a topic on which Russell's *Principia* has nothing to say."<sup>5</sup> While a reader steeped in philosophy would have known that the reviewer was misinformed, a lay reader may well have come away with a distorted idea of what Russell and Whitehead were trying to do in their *Principia*. In the latter case, the journalist failed to serve the main journalistic function of satisfactorily providing reliable public information. A report on the work of Russell and Whitehead prepared by a professional philosopher would have been more

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1. WALTER LIPPMANN, *PUBLIC OPINION* (1997) (Macmillan 1922).

2. *Id.* at 359-60.

3. *Id.* at 365, 407.

4. Howard Kahane, *Devices of News Slanting in the Print Media*, in *PHILOSOPHICAL ISSUES IN JOURNALISM* 237, 243 (Elliot D. Cohen ed., 1992) (quoting *Peer's Passions*, *TIME*, Apr. 14, 1967, at 114 (book review)).

5. *Id.*

accurate. On the other hand, in Lippmann's view, although the substance of a news report must come from those versed in the particular area of the report, the responsibility for identifying these reliable sources must still remain with the journalist. But *which* "reliable" sources should the journalist choose?

The primary press obligation to keep the public informed can still be defeated when these reliable, purportedly valid sources turn out to reflect another group's biases, for instance, the bias of the elite or prominent members of society.<sup>6</sup> Thus, an analysis of a labor strike may largely depend upon whether it is being performed by an elitist group "in the pocket" of big business or by a "liberal democratic" organization. Similarly, a scholarly analysis of Russell's autobiography may vary considerably depending upon whether the scholar performing it is agnostic or a religious zealot. (Russell did not himself believe in God!)

However, this approach of relying on experts can devour the watchdog function of the press by deflating the individuality and creativity of journalists, making them passive robots or mindless servants of the news authorities with whom they consult.<sup>7</sup> Rather than standing ready to expose the truth and reveal breaches of public trust, journalists thereby become accomplices in concealing truth. And what if per chance these "official" news authorities emerge as none other than government agencies or as sources ultimately "validated" by government?

The existence of a *free* press entails that the press is autonomous, or self-governing, not under external control and manipulation. Newspersons must be allowed to be independent seekers of truth. They must not be passive mouthpieces for other organizations who lay claim to a monopoly on truth.

## II. JOURNALISM AS A SYSTEM OF BALANCED PERSPECTIVES

In light of the aforementioned difficulties with objective journalism, a different approach is to abandon the search for valid or objective news perspectives altogether. A version of such an approach has been offered by Herbert Gans in his study of *CBS Evening News*, *NBC Nightly News*, *Newsweek*, and *Time*.<sup>8</sup> In Gans' view, news is the subjective product of the interplay between three key elements: journalists, sources, and audiences.<sup>9</sup> News arises as "information which is transmitted from sources to audiences, with journalists—who are both employees of bureaucratic commercial

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6. Theodore L. Glasser, *Objectivity and News Bias*, in *PHILOSOPHICAL ISSUES IN JOURNALISM*, *supra* note 3, at 176, 180.

7. *Id.* at 181.

8. HERBERT J. GANS, *DECIDING WHAT'S NEWS: A STUDY OF CBS EVENING NEWS, NBC NIGHTLY NEWS, NEWSWEEK, AND TIME* (1979).

9. *Id.* at 80.

organizations and members of a profession—summarizing, refining, and altering what becomes available to them from sources in order to make the information suitable for their audiences.”<sup>10</sup> Journalists tailor information to appeal to the demands of their audiences, which in turn determine the sources to whom journalists speak; while the sources themselves choose to speak to only certain journalists.<sup>11</sup> Through this subjective interplay, reality is interpreted and reinterpreted with an eye toward marketability. News thus arises as “‘the exercise of power over the interpretation of reality.’”<sup>12</sup>

According to Gans, no interpretation of external reality is more or less objective or valid than another because reality is always interpreted according to a number of subjective factors, including one’s personal values, religious perspective, political views, social status, commercial interests, and so forth. A Christian sees things differently than a Moslem or Jew. A poor person views things differently than a middle class or wealthy person. According to Gans, the interpretation of reality is a product of the types of questions people ask and the sort of answers they give.<sup>13</sup> Different groups of people ask different questions, and consequently, they give different answers. Because a fact is, among other things, an answer to a question, different questions generate different facts; and different facts generate different news.<sup>14</sup>

In saying that no interpretation of reality is more valid or objective than another, Gans means that, while there are empirical or scientific means for ascertaining answers to people’s questions, there is no similar means for selecting “the right questions” to ask in the first place, and thus no empirical means for selecting one set of facts or answers to report over another.<sup>15</sup> In the absence of such a means, selecting questions to ask becomes a political act which requires defending.

Gans’ own political, normative stance is that as its most important function, the news has to or should have to “provide the symbolic arena, and the citizenry, with comprehensive and representative images (or constructs) of nation and society.”<sup>16</sup> Accomplishing this goal requires that journalists include as many different perspectives in the newshole as possible. Journalists should strive to avoid partiality toward a particular interest group and provide a balanced representation of all interest groups, including those of different ages, incomes, educational levels, ethnicity, and religious

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10. *Id.*

11. *Id.* at 81.

12. *Id.*

13. *Id.* at 306.

14. *Id.*

15. *Id.* at 306-07.

16. *Id.* at 312.

orientations. According to Gans, by making news more multiperspectival, the goal of democracy, that is, to give voice to more groups, especially those that are disenfranchised, such as the poor, elderly, and adolescents, will be furthered.<sup>17</sup> Insofar as we can agree that democracy is worth furthering, Gans contends that a multiperspectival approach is defensible.<sup>18</sup>

In Gans' view all individual perspectives can be considered biased when viewed from a contrasting perspective.<sup>19</sup> His solution to news bias is thus tantamount to the inclusion of as many biased perspectives as possible.<sup>20</sup> In this way, we are to suppose that each individual bias within a broad system of biases will be nullified or balanced by further biases.<sup>21</sup> Thus, while each individual perspective may be biased, the system as a whole need not be.<sup>22</sup>

For Gans, the term "bias" is a relative concept. News may be called biased or distorted in relation to one standard but not in relation to another.<sup>23</sup> Thus, the news might be called biased in relation to democratic principles if it relies heavily on government sources, but it would not be so regarded if democratic principles are rejected. Gans, however, thinks that "the standards themselves cannot be absolute or objective because they are inevitably based on a number of reality and value judgments [including but not limited to judgments] about the nature of external reality, knowledge, and truth."<sup>24</sup> Gans therefore dismisses the possibility of standards about the nature of external reality, knowledge, and truth, such as laws of logic that can objectively circumscribe news perspectives.

In dismissing such standards of rationality, Gans implies that no perspective can be more epistemically respectable than the next. Thus, for example, the life-affirming perspective of Albert Schweitzer can be no closer to "the truth" than Adolf Hitler's belief in the superiority of the white, Aryan race. Gans' view, however, can be criticized for failing to recognize a further, normative, *objective* sense of "bias" under which Hitler's tenets are biased in a way that Schweitzer's tenets are not. According to Jay Newman, "'Bias' belongs to a family of concepts which includes intolerance, bigotry, discrimination, ethnocentrism, racism, prejudice, dogmatism, and close-mindedness."<sup>25</sup> While Hitler's view was clearly

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17. *Id.*

18. *Id.* at 313.

19. *Id.*

20. *Id.*

21. *See id.*

22. *See id.*

23. *Id.* at 304-05.

24. *Id.* at 305.

25. Jay Newman, *Some Reservations About Multiperspectival News*, in *PHILOSOPHICAL ISSUES IN JOURNALISM*, *supra* note 3, at 205, 210.

guilty of all of these, Schweitzer's was not. Since, as Gans concedes,<sup>26</sup> it is unrealistic to expect the news to include *all* possible perspectives, some perspectives must inevitably be excluded. Articulation of standards of rationality for avoiding bias, as defined in the aforementioned sense, may thus be relevant for purposes of selecting and constructing news perspectives.

Inasmuch as the point of the press in a democratic society is to keep the public *informed*, the press incurs a responsibility to avoid presentations that are false, misleading, or unsubstantiated. Such presentations fail to inform because "to inform" means to impart knowledge, and no false, misleading, or unsubstantiated claim can constitute knowledge in its ordinary sense. It may be argued that journalists also have a responsibility to present balanced coverage of a story, and that citizens in a democratic society have a right to hear patently false and unsubstantiated claims as well as true and substantiated ones. Where journalists become the arbiters of which perspectives are epistemically respectable, there is danger that the press will usurp the autonomy of citizens in a democracy to hear and judge for themselves.

While this is a serious concern, the epistemic quality of perspectives should still serve as primary means for selecting perspectives, especially when not all perspectives can be heard due to constraints of time and space. In such cases, the question is not whether to exclude any perspectives but rather which ones to exclude, and journalists must base editorial decisions on some relevant criterion. For press purposes, determination that one view is more likely to be true than another appears to be a suitable basis upon which to make such selections.

In the realm of values, one may suppose, as does Gans, that truth is not an issue because values are always subjective. This, however, oversimplifies the logic of evaluation. Value judgments cannot be accepted as truth unquestioningly, but must be defended; there often may be salient fallacies in these defenses.<sup>27</sup> For example, the Nazi belief in the supremacy of the white, Aryan race was based upon racial stereotypes. In crafting their reports, journalists must uphold standards of epistemic respectability and avoid normative bias. Thus, according to the *Statement of Principles* of the American Society of Newspaper Editors,<sup>28</sup> in reporting an event, "[e]very effort must be made to assure that the news content is accurate, *free from bias* and in context, and that all sides are presented fairly."<sup>29</sup> While Gans

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26. GANS, *supra* note 8, at 312-13.

27. ELLIOT D. COHEN, CAUTION: FAULTY THINKING CAN BE HARMFUL TO YOUR HAPPINESS (2d ed. 1994); ELLIOT D. COHEN, MAKING VALUE JUDGMENTS: PRINCIPLES OF SOUND REASONING (1985).

28. AMERICAN SOCIETY OF NEWSPAPER EDITORS, STATEMENT OF PRINCIPLES (1975), reprinted in 8 CONTEMPORARY ETHICAL ISSUES: JOURNALISM ETHICS 141-42 (Elliot D. Cohen & Den Elliott eds., 1997) [hereinafter JOURNALISM ETHICS].

29. *Id.* art. IV, at 142 (emphasis added).

is correct that news organizations are businesses with commercial interests, they must not lose sight of their primary function of keeping the public informed. Their commercial interests must therefore be satisfied consistent with standards of rational news reporting.

### III. RATIONAL SUBJECTIVITY IN JOURNALISM

A third view which avoids the pitfalls of Lippmann's objective stance on the one hand and Gans' subjective stance on the other, might be called "rational subjectivity." According to this view, journalists should be encouraged to advance their own subjective news perspectives while constrained by standards of rationality. According to the "rational subjectivity" view, the problem of news bias cannot fruitfully be addressed by having journalists relinquish their autonomy to official news sources; nor can it be solved by multiplying news biases. Rather, journalists may reduce, although not completely eliminate, news bias by internalizing standards of logic and rationality, and then applying them in their reporting. While journalists should be encouraged to be creative and independent in the production of news, they should do so within the scope of rational thinking. Walter Lippmann recognized the importance of rationality in journalism when he stressed the importance of a Socratic dialogue with its power for exposing underlying meanings and prejudices.<sup>30</sup> Unfortunately, Lippmann reserved this logical analysis primarily for the specialized institutions from which journalists could acquire "objectified" information.

In saying that journalists should *internalize* standards of logic and rationality what is meant is that journalists should cultivate, through training (including that received in schools of journalism) and practice, a second nature of subjecting their own thinking to such standards. This cognitive activity requires journalists to take a critical, reflective attitude toward their own thought processes, subjecting their thinking and its embodiment in the news to careful, logical scrutiny. This approach requires journalists to adopt a news stance emphasizing creative interpretation and expression *unencumbered by* intolerance, bigotry, discrimination, ethnocentrism, racism, prejudice, dogmatism, and close-mindedness.

This approach rejects the idea that rationality and creativity are opposites and that simultaneously expressing values and being logical is impossible. It also rejects the popular belief that reason and emotion are mutually exclusive and that, therefore, journalists cannot rationally express their emotions. While the rational subjectivity approach does not deny the

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30. LIPPMANN, *supra* note 1, at 402-03.



importance of what Glasser and Ettema have called "common sense,"<sup>31</sup> that is, a practical know-how derived from working in the field, it eschews the substitution of clichés and vague metaphors for careful empirical research and observation. Clearly, journalists who aspire to this approach must comprehend the diverse types of irrational, biased thinking that can infect news and therein, thwart the primary journalistic function of keeping the public informed.

#### IV. TYPES OF BIAS IN JOURNALISM

A brief discussion of three general kinds of journalistic bias follows: cognitive, news slanting, and organizational. While this account is not intended to address every instance and category of journalistic faulty thinking, it is intended to provide a heuristic model for construction of such a comprehensive account.

##### A. Cognitive Bias

Holly Stocking and Paget H. Gross have suggested a number of ways in which journalists can misuse or misinterpret empirical data thereby arriving at faulty cognition.<sup>32</sup> Insofar as the errors that journalists commit unintentionally represent human tendencies, careful study of this class of error within journalism curricula would seem to be indicated.<sup>33</sup> Yet, as Stocking and Gross note, information about these errors are rarely included in textbooks and courses that teach journalists how to write, edit, and report the news.<sup>34</sup> A brief description of some of these errors follows.

##### 1. Eyewitness Fallacy

Eyewitness fallacy arises as a result of discounting the role that personal belief systems can play in the construction of perceived reality. Many assume that "seeing is believing," that reality is acquired independently of the perceiver's prejudices, stereotypes, expectations, former experiences, and emotional state.<sup>35</sup> It is quite clear, however, that often the perceiver's preconceptions unwittingly color his or her perception of an event.<sup>36</sup> For example, Walter Lippmann has described an experiment conducted on a

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31. Theodore L. Glasser & James S. Ettema, *Common Sense and Education of Young Journalists*, 44 JOURNALISM EDUCATOR 18, 19-22 (1989).

32. See S. Holly Stocking & Paget H. Gross, *Understanding Errors and Biases That Can Affect Journalists*, in PHILOSOPHICAL ISSUES IN JOURNALISM, *supra* note 3, at 223-26.

33. *Id.* at 223.

34. *Id.*

35. *Id.* at 224.

36. *Id.* at 225.

crowd of forty trained observers at a Gottingen psychology conference in which these observers were exposed to a staged, photographed brawl, which lasted about twenty seconds, between a Black person and a clown.<sup>37</sup> The eyewitnesses were then asked to immediately write a report on what had happened as there was certain to be a judicial inquiry.<sup>38</sup> In describing what they had seen, a majority of the eyewitnesses recalled a scene that had not taken place.<sup>39</sup> What was it they saw? Lippmann answers, "They saw their stereotype of such a brawl."<sup>40</sup>

Insofar as journalists consider themselves to be "trained observers" and thus beyond any human tendency to "see their stereotype," journalists may be led to prematurely curtail investigations. Rather than assume their perceptions to be incorrigible, journalists should strive toward a critical reflective awareness and understanding of those aspects of their personal belief systems that may bias their accounts, including (but not limited to) stereotypes arising out of socialization, for example, those arising from having come from a white, middle-class background.

## 2. Overgeneralizations

Stereotypes journalists hold may lead to hastily drawn generalizations in their news reporting that further serve to reinforce these stereotypes. For example, according to Richard Mohr, the popular stereotype of homosexuals as being child molesters influences the press' portrayal of homosexuals in general as sex offenders.<sup>41</sup> Thus, writes Mohr:

When a mother kills her child, or a father rapes his daughter — regular Section B fare even in major urban papers — this is never taken by reporters, columnists, or pundits as evidence that there is something wrong with heterosexuality. . . . But when a homosexual child molestation is reported, it is taken as confirming evidence of the way homosexuals are. One never hears of heterosexual murderers, but one regularly hears of homosexual ones. . . . [John Wayne] Gacy was in the culture's mind taken as symbolic of gay men in general.<sup>42</sup>

By promoting hasty generalizations that support popular stereotypes,

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37. LIPPMANN, *supra* note 1, at 82-83.

38. *Id.*

39. *Id.* at 83.

40. *Id.*

41. Richard D. Mohr, *Gay Basics: Some Questions, Facts, and Values*, in JEFFREY OLEN & VINCENT BARRY, *APPLYING ETHICS: A TEXT WITH READINGS* 102, 104 (5th ed. 1996).

42. *Id.*

journalists fail to perform their primary function of keeping the public informed. Instead, they work contrary to this purpose, and against democracy, by contributing to the oppression of minorities.

Journalists have a responsibility to reach conclusions based on the weight of the evidence and not on the basis of stereotypes and other negative mindsets. When making generalizations, journalists should ensure that the samples from which they form their generalizations are large and diverse enough to fairly represent the populations about which they are generalizing. Citizens in a democracy also have a right to judge the adequacy of the evidence for themselves. Thus, journalists have a responsibility to provide the public with suitable information regarding the genesis of their generalizations. According to the Association of Public Opinion, in supplying the results of polls, news media should also provide the following information:

- (1) who sponsored the survey,
- (2) the exact wording of the question(s) asked,
- (3) a definition of the population actually sampled,
- (4) the sample size (for mail surveys, include both the number of questionnaires mailed out and the number returned),
- (5) an indication of what allowance should be made for sampling error,
- (6) which results are based on part of the sample rather than the total sample,
- (7) whether interviewing was done personally, by mail, or on street corners, and
- (8) the timing of the interviewing in relation to the events.<sup>43</sup>

Unfortunately, many newspapers are remiss in providing this information.<sup>44</sup>

### 3. Distortions of Risk

Journalists fail to fulfill their primary function when they present reports in a manner that misleads the public about risk. Journalists should guard against causing such misimpressions. They may do so by taking into account the manner in which people, including the journalists themselves as well as their sources, process information on risk.<sup>45</sup> For example, a report about a major airline crash, such as the recent crash of TWA Flight 800, fosters an exaggerated impression about the riskiness of flying in comparison to other

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43. Ralph Johnson, *Poll-ution: Coping with Surveys and Polls*, in SELECTED ISSUES IN LOGIC AND COMMUNICATIONS 163, 165 (Trudy Govier ed., 1988) (citation omitted).

44. *Id.*

45. Stocking & Gross, *supra* note 32, at 229-30.

forms of transportation such as automobile travel. One reason is that an airplane crash typically kills more people at one time than does a single automobile accident. People tend to overestimate risk in cases of more dramatic or sensational causes of death.<sup>46</sup> Another reason for this exaggerated impression of risk may be the manner in which the press appears to exploit such a fear.<sup>47</sup> According to Frank Albrecht, one "contrived" reason why people paid so much attention to the crash of TWA Flight 800 is that its importance was exaggerated by the media.

Building on our fascination, it rivets our attention with tear-jerking interviews, pictures of desolation, arcane technical data, alarming "it could happen anywhere" prognostications, titillating late-breaking "news," and all the other panoply of electronic data-gathering and analysis, till the event itself is overshadowed by the volume and variety of the reporting of it—and crashes in general come to seem far more important than they are.<sup>48</sup>

Rather than trying to promote and profit from public misimpressions, news organizations have a professional responsibility to provide a balanced perspective.<sup>49</sup> In the case of an airplane crash, this might include mention of the fatality rates resulting from other forms of travel such as the automobile. Statistics might be given showing the overall estimated death rate from air travel, especially on commercial airliners, in comparison to highway fatalities and in relationship to total accidental deaths per year. Any deliberate media attempt to play up risks for the sole purpose of selling papers or increasing the viewing audience is manipulative, misleading, and deceitful, and defeats the primary function of news.

### B. *News Slanting Bias*

The media sometimes intentionally employs techniques or devices for playing up or playing down stories or particular aspects of a story.<sup>50</sup> For example, it is well known that when certain details are placed at the end of an article, they are more likely to be missed by the reader.<sup>51</sup> Similarly, by placing a story at the end of a television news program it is less likely to be viewed by as many viewers as it would if placed at the beginning. Headlines

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46. *Id.* at 229.

47. *Id.*

48. Frank Albrecht, *Media Distortions*, STAR DEMOCRAT ONLINE (1996) <<http://www.stardem.com>>.

49. See *infra* text accompanying note 75.

50. Kahane, *supra* note 3, at 238.

51. *Id.* at 239.

can be sensationalized in a way that misleads the reader.<sup>52</sup> Statements can be lifted out of the contexts in which they originally were made, thereby distorting their intended meanings. Ellipses may be used to alter the intended meaning of a statement by omitting essential information. Photographs now can be electronically (digitally) altered to “construct” reality.<sup>53</sup> News organizations can photographically distort events by editing film footage, for example, showing a police officer striking a suspect but editing out the suspect first striking the police officer, or vice versa.

Emotively strong language can be strategically used to elevate some features of a story and degrade others. Such a news slanting technique can be used to support popular stereotypes. For example, the *Philadelphia Daily News* ran a story about the double murder of jeweler, Richie Zimmerman, and his wife Patricia, under the headline “Gem of a Contradiction: Slain Jeweler, Wife Apparently Were Quite Wealthy.”<sup>54</sup> The two apparently had a million dollars “stashed” in a bank safe-deposit box.

They were an odd couple, the *beauty* and the *beast*, she a *curvaceous* blonde with the face of an *angel*, and he a *pudgy* and *rumpled* man with a *limp*, as *shrewd* and *stingy* and *disliked* as she was *naive* and *warm-hearted* and *desirable*.

. . . .

Richie Zimmerman was so *tight* with a buck that he *exploded* at his wife for paying somebody \$10 to change a flat tire during a snowstorm, said the jeweler.

In a business where *haggling* over price is expected, Zimmerman was *king*. He *insulted* merchants with his *brusque*, *aggressive* manner, said a wholesaler.

To him, *no price was the right price*. Even at the Jeweler’s Row Diner on Sansom Street, where the Zimmermans often dined on *chicken soup*, Zimmerman would put \$4 on the counter for a \$6 tab.<sup>55</sup>

As the italicized words suggest, the writer has juxtaposed pejorative and laudatory language for purposes of casting Mr. Zimmerman and his wife in respective negative and positive lights. In this context, where opposing forces of good and evil, angel and devil, (Christ and anti-Christ?), are linguistically constructed, Mr. Zimmerman emerges as a “cheap, haggling,

52. *Id.* at 238-39.

53. S. Reaves, *Digital Manipulation of Photos with New Computer Technology*, in *MEDIA ETHICS: ISSUES AND CASES* 192-94 (Philip Patterson & Lee Wilkins eds., 1991).

54. Marianne Constantinou, *Gem of a Contradiction: Slain Jeweler, Wife Apparently Were Quite Wealthy*, *PHILADELPHIA DAILY NEWS*, Feb. 14, 1997, at 3.

55. *Id.* (emphasis added).

underhanded chicken-soup-drinking, rich jeweler," a popular Jewish stereotype.<sup>56</sup>

As trustees of democracy in a multicultural, pluralistic society, journalists bear an ever increasing responsibility to respect and encourage respect for culturally diverse groups. This responsibility is not met when journalists deliver the news in a manner that degrades and alienates entire cultural groups. This responsibility does not negate the freedom of journalists to make creative news deliveries. Ethnic slurs or other displays of prejudice and intolerance typically do not enhance creativity. Nor does avoiding biased expressions mean that journalists will be prevented from using emotively charged language. There are constructive uses for emotive language.

Emotive language can be used creatively to convey emotionally charged events in a manner in which dry, descriptive vocabulary cannot. This point is well illustrated by Berny Morson, a reporter for the *Rocky Mountain News*, in his coverage of a story about a profoundly retarded child whom he identified only as Tracy.<sup>57</sup> Morson explains that government officials, acting in what they deemed was the best interest of the child, decided to bus her from a state institution to a nearby public school each day.<sup>58</sup> Tracy's mother, however, opposed such efforts to "educate" her daughter on the grounds that it merely raised false hope.<sup>59</sup> According to Morson, the mother's point of view could only be understood by grasping the suffering of a parent of a profoundly retarded child.<sup>60</sup> This suffering could only be conveyed through emotional language; in this case, through selective quoting of Tracy's mother: "'At Christmas, they send you a picture of Tracy in Santa's lap, and there she is, all contorted. That really does it at Christmas — you just sit there and cry.'" <sup>61</sup>

Morson states:

[T]he events involving Tracy and her mother concern the public policy question of how to care for the retarded. But in the case of Tracy and her mother, the significance of available alternatives is measured entirely in feelings. The facts to be considered are not cost or legalities, but emotions. Direct quotes — "You just sit there and cry" and "To me that's just torturing the child" — convey emotion. Comments also were included by parents who chose public school

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56. Elliot D. Cohen, *Forms of News Bias*, in 8 JOURNALISM ETHICS, *supra* note 28, at 58-64.

57. Berny Morson, *The Significant Facts*, in PHILOSOPHICAL ISSUES IN JOURNALISM, *supra* note 3, at 22, 30.

58. *Id.* at 29-30.

59. *Id.* at 31.

60. *Id.* at 30.

61. *Id.* at 32.

for their retarded youngsters. Those comments presented the other side of the issue in language every bit as emotional as the words of Tracy's mother.<sup>62</sup>

In a democracy, citizen participation in effective public policymaking may depend upon whether citizens possess a deep, emotional understanding of the unfortunate plights of others. Accordingly, keeping the public informed requires helping the public *to empathize*. However, "[f]acts . . . understood only through empathy are among the most difficult to recognize and the hardest for reporters to communicate."<sup>63</sup> Successfully identifying and communicating such facts therefore requires journalistic skill and creativity. On the other hand, the perpetuation of stereotypes and negative mindsets destroys the prospect of empathy and fails to challenge and engage journalists' creative talents.

### C. *Organizational Bias*

News organizations are in business to make money and therefore have an interest in keeping their audiences satisfied. Newspapers want to maintain as well as increase their subscription bases. Network news organizations are under pressure from their sponsors to keep ratings up. These business concerns have led news organizations to engage in definable practices of "molding" the news for profitability. This goal of maximizing profit is not necessarily inconsistent with the public welfare and the private, as opposed to government-controlled, status of the press is essential to its function as watchdog of democracy. To a significant extent, the press' control over its monetary incentives and pressures must come from within news organizations themselves. In their effort to stay in business and to turn a profit, news organizations must not forget that their primary reason for existing is to keep the public informed.

In seeking to keep the news straight-forward and engaging for the average consumer, news organizations regularly reformat reality.<sup>64</sup> The result of such "organizational biases"<sup>65</sup> is often a misleading portrayal of reality that promotes popular stereotypes and other forms of prejudice. For example, members of diverse cultural groups are often linked to specific news reports, such as crime, entertainment, or sports, rather than to general interest, business, education, health, and religion reports. For example, Blacks and Hispanics may be portrayed as athletes or criminals more than as

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62. *Id.*

63. *Id.*

64. Edward Jay Epstein, *Organizational Biases of Network News Reporting*, in PHILOSOPHICAL ISSUES IN JOURNALISM, *supra* note 3, at 244.

65. *Id.*

average persons. Less commonly understood religious groups, for example, Wicca, may be represented with images "depicting demons torturing a man."<sup>66</sup> Media often use images of sharp contrasts and bifurcations such as black versus white, or military versus civilian. Images are boiled down to simple stereotypes such as the image of a shabbily dressed child depicting poverty in general. Talking heads are deemed uninteresting to the public, and action scenes are invariably preferred to more static scenes. Events are fashioned into stories with beginnings, middles, and ends whether or not the actual events fit this form. Local events are "nationalized," that is, made to look like national crises, in order to stock the national news. Explanations and causes of events are omitted, making news events appear to be groundless, thereby leading to "a picture of society as unstable."<sup>67</sup>

Considering the various ways by which news organizations artificially circumscribe reality, Edward Jay Epstein has queried whether the media "present a picture of reality upon which rational men can make decisions."<sup>68</sup> Epstein suggests that organizational bias might be handled in a way similar to that used for handling systematic distortions on a map.<sup>69</sup> Unfortunately, this analogy is weak since maps represent quantifiable distances drawn to scale and typically provide keys for interpreting the scale. News contents are not similarly quantifiable. For example, failure to explain what led to the Beijing massacre or why Serbs and Croats have not gotten along cannot be adjusted mathematically.<sup>70</sup> In both instances, these are material facts, not formal ones, which cannot be derived by algorithm. As rational persons rely on material facts to form rational judgments, it is doubtful whether Epstein's question can be answered in the affirmative. This result suggests the need for news organizations to reconsider their role in a democratic society.

It is easy to rationalize that the average person is not capable of grasping more than an oversimplified glimpse of reality. It is a greater challenge to seek out innovative ways of presenting a picture of reality that does not insult the intelligence of rational persons. While time and space constraints suggest the need for streamlining events to fit simplistic news formats, the effects of such physical limitations are not entirely without remedy. There is always the possibility of covering fewer stories in greater depth in conventional news slots such as television news broadcasts. The advent of new technologies such as electronic newspapers accessible over the World Wide Web also

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66. Paul Martin Lester, *Images and Stereotypes*, in 8 JOURNALISM ETHICS, *supra* note 28, at 69, 71.

67. Epstein, *supra* note 64, at 246.

68. *Id.* at 249.

69. *Id.*

70. Cohen, *supra* note 56, at 64.



provides a partial answer to the problem of limited space.<sup>71</sup> Nevertheless, an expanding newshole does not relieve news organizations of their responsibility to provide qualitative news services. News consumers should not have to fish for unbiased news perspectives amidst a vast sea of media debris with occasional reliable accounts.

## V. CONCLUSION

The search for journalistic objectivity is carried to a self-defeating extreme when journalists become the mouthpieces of official news sources. On the other hand, the extreme of completely surrendering objectivity paves the way to irresponsible journalism wherein anyone's biased perspective must be counted as "information." Neither extreme need be embraced, however. Alternatively, journalists should be encouraged to pursue their own creative lights. But they should do so while conscientiously seeking to avoid misusing empirical data, slanting news, and oversimplifying reality.

While the "rational subjectivity" approach acknowledges that there may be more than one "reliable" rendition of events, it also acknowledges rational limits as to what constitutes a reliable account. When news perspectives are funneled through a logical strainer, some views will inevitably be strained out. Following this approach will not mean that views that lack sufficient evidence or that are otherwise misguided will never slip through the strainer. However, insofar as journalists are in a habit of looking for logical rigor in their own thinking as well as in their sources, such slip-ups will be less likely to happen. A journalist not versed in the literature of logic and mathematics might still confuse Russell and Whitehead's theory about the logical foundations of mathematics in *Principia Mathematica* with Newton's theory on mechanics.<sup>72</sup> Nevertheless, journalists alert to their own irrational thinking, therein proportioning their beliefs according to the weight of evidence, may be less inclined to tread where their knowledge is thin. As Lippmann states,

The study of error is not only in the highest degree prophylactic, but it serves as a stimulating introduction to the study of truth. As our minds become more deeply aware of their own subjectivism, we find a zest in objective method that is not otherwise there. We see vividly, as normally we should not, the enormous mischief and casual cruelty of our prejudices. And the destruction of a prejudice, though painful at first, because of its connection with our self-

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71. Elliot D. Cohen, *Computer Technology and the News*, in 8 JOURNALISM ETHICS, *supra* note 28, at 51, 53.

72. See *supra* text accompanying notes 3 & 4.

respect, gives an immense relief and a fine pride when it is successfully done.<sup>73</sup>

Journalistic codes of ethics typically recognize the need for avoiding biased thinking in news delivery. Thus, for example, the Associated Press Managing Editors, *Statement of Ethical Principles* declares: "[T]he good newspaper is fair, accurate, honest, responsible, independent, and decent. Truth is its guiding principle."<sup>74</sup> Similarly, according to The Radio-Television News Directors Association, *Code of Ethics*, members should "[s]trive to present the source or nature of broadcast news material in a way that is balanced, accurate and fair."<sup>75</sup> And the National Press Photographers Association, *Code of Ethics* asserts that photojournalists should "strive for pictures that report truthfully, honestly and objectively."<sup>76</sup> These statements are important expressions of ideals. However, unless terms such as "accurate," "balanced," "decent," "fair," "honest," "truthful," and "objective" are related to clear practical standards for advancing these values, such statements are likely to remain abstract ideals to which well-meaning journalists pay only lip service. The biases categorized herein are intended as a model for constructing such standards, which should be promulgated *by and within* the journalism profession. They should be recognized, adopted, and internalized as a vital and pervasive aspect of journalism education.

In a society where freedom of the press is valued and is constitutionally protected for the sake of promoting democracy,<sup>77</sup> journalists should be free to gather and report the news according to their own creative lights. However, one price for this freedom is a professional responsibility to avoid misuse of empirical data, devices of news slanting, and institutional practices of systematic reality distortion in delivering the news. Such are the coin of intolerance, bigotry, discrimination, ethnocentrism, racism, prejudice, dogmatism, and close-mindedness. And these thwart democracy.

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73. LIPPMANN, *supra* note 1, at 409-10.

74. ASSOCIATED PRESS MANAGING EDITORS, *STATEMENT OF ETHICAL PRINCIPLES, RESPONSIBILITY* (1994), *reprinted in* 8 JOURNALISM ETHICS, *supra* note 28, at 143.

75. RADIO-TELEVISION NEWS DIRECTORS ASSOCIATION, *CODE OF ETHICS* § 1 (1987), *reprinted in* 8 JOURNALISM ETHICS, *supra* note 28, at 150.

76. NATIONAL PRESS PHOTOGRAPHERS ASSOCIATION, *CODE OF ETHICS* § 3 (1946), *reprinted in* 8 JOURNALISM ETHICS, *supra* note 28, at 154.

77. U.S. CONST. amend. I.

