

"ETHICS IN PUBLIC RELATIONS"

2016

Can we talk? Cases for Discussion



NOTES TO INSTRUCTORS: USING THE DISCUSSION CASES

The Cases

The following cases were created to provide students with an opportunity to examine ethical dilemmas by looking at all sides of the issue rather than simply defending their first, gut-reaction choice.

The cases are presented in two categories: personal ethical dilemmas requiring students to contemplate their moral stances on issues that are of a personal nature but may also have professional consequences; and professional ethical dilemmas requiring them to apply ethical decision-making to public relations/corporate communication situations.

The Instructor's Role

A good ethics teacher will avoid moralizing – his or her personal issues are not germane. A good ethics teacher will find ways to permit, and even at times force, students to see situations from perspectives other than their own. As a result, the good ethics teacher takes on the role of 'devil's advocate.' In doing so, however, it's critically important that the students understand that this is your role: that the stances you suggest do not represent how you feel personally. The following definition may be presented to the students at the outset so that they will understand this function.

Devil's Advocate Definition

- ✓ A person who advocates an opposing or unpopular cause for the sake of argument or to expose it to a thorough examination...

Using the Cases in Class

The cases may be used in a variety of ways during class:

- As the basis for a full class discussion. In seminar classes with small numbers of students, the cases may be assigned as a full class discussion led by the instructor who will take the students through the case from the perspective of each of the positions provided.
- In larger classes, the cases may be used by assigning half the class to each of the positions and having each half of the class present defend their position with a final discussion of the best solution.
- As essay topics. The cases may also be used as the basis for an essay assignment created by the instructor.

1 PERSONAL ETHICAL DILEMMA #1

Ends versus Means: The Case

Alan Dershowitz was something of a prodigy in the academic world. In 1967, at the age of 28, he was promoted from Associate Professor to full Professor at the Harvard Law School. It usually takes people most of their career to become full Professors – he was the youngest one Harvard Law had ever had. People were listening to him.

Young Alan had a distinguished career as a civil liberties activist, criminal lawyer to high-profile Americans and as a law professor publishing hundreds of articles in law journals as well as in popular publications such as *The Wall Street Journal* and the *Washington Post*. People were still listening to this deep thinker.

In early 2002, in response to the 9/11 bombings he wrote an article in the *San Francisco Chronicle* advocating the use of torture warrants for suspected terrorists: these warrants would permit these suspects to be tortured.¹ This controversial opinion and counsel was based on the belief that torture would be justified and even appropriate if it could save other people from the same fate as those who died on September 11, 2001.

A couple of years later, York University theatre professor Robert Fothergill wrote and produced a play titled *The Dershowitz Protocol* that focused on the inevitable questions arising from such a proclamation. These questions included the following: Who would be responsible for carrying out the torture? What would it be like? How would it be controlled? All of these were questions that had to be asked based on the current Canadian view of torture. Dershowitz himself was quoted as saying: “...It is impossible to avoid the difficult moral dilemma of choosing among evils by denying the empirical reality that torture sometimes works, even if it does not always work.”

You are at a public relations convention and a group of PR professionals begins to discuss this case over a lunch.

Position 1: Dershowitz reflects my view: it doesn't matter what you have to do to get to the outcome as long as the outcome is the “right” one.

Position 2: There are some things that are always wrong: My motives and the morality of my actions are just as important as the outcomes.

¹ This is based on a real case.

2 PERSONAL ETHICAL DILEMMA #2

My Personal Life versus My Professional Life : The Case

You received your public relations degree two months ago, began your new job as a junior account consultant at KK & J Strategic Communications three weeks later, and are now working busily on three client portfolios. You report to senior account executive Kim. Every Friday afternoon all members of your team (you, Kim, the creative director, copy writer and another account consultant who graduated from your alma mater a year earlier) go to a local bar for a drink to celebrate the week's activities. Last Friday, it became clear to you that Kim is interested in more than your brilliant strategic mind. After everyone else had left, you found yourself alone with Kim at the table, your second martini almost finished. As you take the final sip, Kim leans over toward you and asks you to have dinner a week from Saturday. You've often thought about what it might be like to get to know Kim outside the office. Kim is a great boss and you like your job. You are flattered and interested.

The following Sunday, you meet a friend for brunch. Your friend is a classmate who graduated in PR with you and now works as a media relations adviser at the local Health Sciences Centre. You relate the story of Friday night.

As you fill in the details, your friend looks appalled. "Of course, you turned the invitation down?"

"Well, I haven't really decided yet. I think Kim and I would be great together – if you know what I mean."

"Are you crazy? Personally, I think you're crazy to date even a co-worker. And you certainly shouldn't sleep with someone you work with! But your boss! What are you thinking? It can only end badly and you know it."

Position 1: My personal relationships are my own business. I can date whomever I like and if I want to sleep with my boss or anyone else at work, I'm going to. I'm going to go out on that date and see where it leads. Kim might be my soul-mate.

Position 2: Dating a colleague or a superior would result in a personal conflict of interest. I don't have the right to put my colleagues or my employer in such a position; they are bound to find out sooner or later and it could affect my work – or appear to. And I'm unwise to put myself in that position. I'm going to turn down the invitation.

3 PERSONAL ETHICAL DILEMMA #3

Any Client, Any Time? The Case

You have been looking for a job for three months. The only ones that seem to be available are for website editors and the pay is very low. Your significant other is a medical student and your part-time job at Tim Horton's is not really covering expenses any longer – and besides you'd like to begin paying down your \$20,000 student loan debt. Maybe going to Cancun last study break hadn't been such a good idea after all!

Just when you think you might have to take one of those crappy website jobs, a friend of yours who works for a career placement company calls to tell you that he has recommended you for a terrific job that would allow you to use your wide-ranging public relations skills.

"I sent them your résumé and they were very impressed. In fact, they said that if you're a good fit for their corporate culture, the job will be yours. It's with Worldstar Global in the public affairs office. They have a two-year contract for a specific project."

The company name sounds familiar. Your friend continues: "And get this – they are offering a package that includes a starting salary of \$62,000 a year, three weeks paid vacation and a medical-dental insurance package."

Then it hits you. Last year while you were on an eco-volunteering trip to Ecuador, your room-mate who was born in that country told you about the company that was ruining the cloud forests in Central & South America with their refineries and their plants that burn old rubber tires. It was Worldstar Global!

"Don't worry about your environmental conscience," says your friend, "I told them you were a crusader and they said it would be fine as long as you kept your opinions to yourself. In fact, they thought it would be a real bonus to have a young environmentalist on their staff. The project is to convince the Costa Rican populace that a new refinery in the rain forest is good for the economy."

Position 1: I'm going to go to the interview, impress them with my knowledge of their business and take the job if they offer it to me. I know that what they're doing is wrong. So what? I don't have to like what they do: I like the salary they're offering.

Position 2: I cannot in good conscience work for an organization whose work is contributing in such a big way to the degradation of the environment. I'd be lying every time I took their side on an issue. As attractive as the benefit package is, I'm going to have to turn down the opportunity.

4 PROFESSIONAL ETHICAL DILEMMA #1

Ghostwriting: The Case

You have been hired on a freelance contract to produce written materials for Oceanside Designs, a fashion design studio that is owned by Allyson McPherson. Allyson is well known on local television, and is quickly becoming recognized across the country. However, her fame is not developing fast enough for Allyson's liking.

You are happy to begin work for her by writing copy for her web site that promotes Allyson's designs, and increasingly promotes Allyson herself. She is not social media savvy and when she asks you about 'tweeting' her response to your explanation is for you to go ahead and tweet as many times a day as you can manage. "Remember, though," she says, "I need everyone to think that I've written everything! This business is me – I am this business, after all!" She reminds you about the confidentiality agreement you signed, and that you can tell no one about the fact that you are working for her at all. Indeed, she cautions you against putting this work on your résumé.

Allyson is very happy with your work telling you that it always sounds as if she had written it herself. Eventually, she tells you that she has been asked to write several articles for industry publications, and asks you to ghost write them for her. You do all the research, write the pieces, after which they are accepted for publication. Everyone thinks that she is a terrific writer and so knowledgeable about fashion design, although you know that if she didn't have her staff to design and you to research and write, she would not have a name as a designer. It begins to bother you after two of the articles you ghosted for her are nominated for Fashion Journalism Awards. When the award presenter describes her as "a woman of many talents; it's not often that designers are also such talented writers..." she beams with humility and accepts the award.

On Monday back at Allyson's office, you happen to be chatting with one of her junior designers who asks, "Doesn't it feel weird to see her accept an award for a talent that is yours and not hers?" Unfortunately, Allyson overhears this comment and promptly fires you and the junior designer saying, "Remember that client confidentiality thing!"

Position 1: Ghostwriting is part of the required work for public relations writers and there is nothing unethical about it. In fact, you have an ethical obligation to maintain your client confidentiality. You just have to suck it up.

Position 2: You consider that there are serious moral considerations to ghostwriting in general and in this work situation in particular. You think that perhaps people ought to know that you have been doing all the work. You are entitled to the kudos.

5 PROFESSIONAL ETHICAL DILEMMA #2

The VNR Dilemma: The Case

You've been working as a media relations associate for two years since graduating from with your PR degree. You are ready for a change. It just so happens that Ellen, one of your former classmates, has been working for a local communications agency since graduation and calls you to ask if you might be able to help with the production of an online video news release that she's working on for a client.

The client is a large pharmaceutical manufacturer that is trying to enlarge the market for one of its drugs that was launched two years ago but has yet to take off. Its main competitors are Viagra™ and Levitra™. This new strategy involved hiring Ellen's firm to conduct a sexual activity survey of university-aged men and women as compared with men and women over 45. There is little new information as a result of this survey, but it is on a very high-profile topic; everyone seems to want to know what everyone else is doing.

The client wants to produce a VNR that uses interview footage with study participants as well as interviews with their physician-spokespersons. Ellen needs to find a news hook in the package it so that it can be worked seamlessly into news broadcasts at television stations throughout the country. "VNR's are such great PR tools," she says to you. "When the public thinks it's news, they really believe it!"

She wants you to do some background research with her and pose as a reporter on camera.

Position 1: Video news releases are bedrock tools of media relations; the media should be held responsible for any misunderstandings that might arise in the public as a result of their usage.

Position 2: VNR's pose serious ethical threats to the integrity of PR; we need to face these and deal with the ethical issues involved rather than mindlessly producing and distributing them.

6 PROFESSIONAL ETHICAL DILEMMA #3

Front Groups: The Case

In 2005, California-based manufacturer Allergan hired a Virginia-based affiliate of well-known public relations firm Burson Marsteller to develop a strategy to assist it in fighting a proposed state tax on Botox™, one of its products.² Their overall strategy was to develop a lobbying effort directed at both legislators to win their vote and the public to win their moral support.

The PR firm created an organization that they called *Citizens Against Unfair Health Care Taxes*. One of the tactics they decided to use was a telephone campaign with a message suggesting that such a proposed tax on Botox might, in fact lead to taxes on other drugs. Although on their web site they mention several members of their “coalition” including Allergan, they did not mention this fact when they did the telephone campaign.

You have been researching this case in the US to learn more about the approach since one of your clients has asked you to find a way to create an arms-length lobby aimed at changing abolishing the sex education classes that the school board has adopted. They have asked you about this strategy because they do not want anyone know that they are behind this effort.

Position 1: Front groups have been used by PR practitioner since the days of PR pioneer Carl Byoir and even similar efforts earlier by Edward Bernays; they are a legitimate approach to indirect lobbying.

Position 2: Critics of front groups are right in their estimation of the lack of ethics demonstrated by the use of front groups; as PR practitioners we need to change the way they are configured and used.

² This is based on a real case.