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The unethical consequences of professional communication codes of ethics: A postmodern analysis of ethical decision-making in communication practice



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ABSTRACT

This article reviews the role of professional communication codes of ethics through a postmodern lens. It argues that codes of ethics interfere with individual ethical decision-making and move ethical responsibility away from the individual to that of the group. While recognizing the power of human agency in ethical decision-making, the article argues that in professional environments human agents also are bound by laws and contracts, which hamper unencumbered ethical decision-making in public relations practice. It critiques the role of public relations in promoting the ethical standards and ideologies of the powerful people they serve. They do this by presenting these ideologies and ethical standards as rational and objective. It argues for the rejection of universal codes of ethics of professional organizations in favor of individual, responsible ethical decision-making, which will be determined by the specific environment and situation of the practitioner. The moral impulse to the Other then becomes the guiding principle and the purest form of ethical decision-making in the workplace.

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1. Introduction

Codes of ethics seem to be a major concern for professional public relations membership organizations all over the globe. Much time has and is being devoted to developing and publishing guidelines that are aimed at governing practitioners' ethical conduct or pointing them to expected ethical behavior, apparently with little results or consequences for practitioners. This also was the theme for the World Public Relations Forum's (WPRF) 2014 colloquium titled Communication with conscience. Communicating with conscience is defined as "full awareness and responsibility in decision-making, communication and action by organizations" (Global Alliance, 2014b).

Particularly relevant to this event were two documents generated from the two previous World Public Relations Forum (WPRF) events, namely, The Stockholm Accords (Global Alliance, 2010) and The Melbourne Mandate (Global Alliance, 2012). Both these documents refer extensively to expectations for ethical behavior of public relations professionals. Both set out expectations for expected conduct (or roles), which confuses rather than enhances the purpose of these documents. What muddies the water even further is that both these documents go into great detail of what public relations professionals do while also setting out clear guidelines for professionals. They also use organization and professional interchangeably as in the call for papers for the WPRF colloquium, where professionals and organizations are urged to take responsibility for

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decision-making and action. While these two entities are clearly different, this call creates the impression that professionals and organization are one and the same.

Furthermore, in a summary of the enforcement of national codes of ethics and conduct, the Global Alliance reported that very few complaints were received or acted on over a period of three years. Of these, four cases involved legal action. Several of the national organizations remarked that since their organizations do not govern non-members who practice public relations, there is little benefit to enforcing ethical principles. They now focus more on education and scenario-building (Global Alliance, 2014a). One thus has to ask why professional organizations continue the endless pursuit of codes of ethics and why, despite the availability of university degrees in public relations taught by educated and qualified academics, professional organizations continue to spend years of their time on defining the practice.

This article examines the role of power as a motivation for these continued pursuits and their potential to bring harm to organizations' stakeholders. Its starting-point is the postmodern interrogation of power, which in this instance focuses on exposing the sources of moral power, how these codes of conduct are shaped, how ethical decisions are made, who decided on those codes, and who they benefit.

2. Ethics, norms, and the law

One of the problems in discussion on ethical decision-making is the confusion of terminology. The concepts of morality and ethics often are linked and interdependent. Morality is "a set of values and rules of action that are recommended to individuals through the intermediary of various prescriptive agencies" (Foucault, 1985, p. 25). Ethics is the extent to which the individual supports the moral code through conduct. Thus a code of ethics describes the morally acceptable conduct expected from individuals, in this case public relations professionals.

Also, morality and ethics often are confused with the law. What is unethical might not be illegal. Similarly, what is perceived as unethical and immoral might be legal. Illegal actions can be pursued through legal channels, as the Global Alliance's report on enforcement of national codes of ethics and conduct showed (Global Alliance, 2014a). For this reason there is often tension between ethics and the law, which explains the tension that often exists between legal advisers and public relations practitioners. While there seldom is a channel for pursuing unethical conduct there are many channels for pursuing illegal conduct.

Lyotard in particular argued that ethics and justice are two incommensurable "language games" (Lyotard & Thébaud, 1985, p. 50). While both are prescriptive, laws are contractual agreements between citizens and the state or contractual agreements between organizations and other entities, such as employees, clients, and service providers. In contrast, ethics is a prescriptive language game based on other criteria such as membership of specific institutions or adherence to different moral frameworks and therefore hard to enforce.

Yet another factor that compounds the problems public relations practitioners face in ethical decision-making is the concept of agency. Philosophical perspectives on agency deal with the concept of personal power, i.e., the ability of an individual to make personal decisions and be objective and rational. Much of modernist philosophy was driven by the belief that "the world... is a wholly knowable system governed by a finite number of universal laws that man can grasp and rationally direct to his own benefit" (Havel, 1992, as cited in Ermarth, 2001, p. 56). Ermarth refers to this as the "One World Hypothesis" (p. 202).

In contrast, postmodern agency is viewed as fragmented, with the agent facing different positions requiring different stances on a continuous basis. As a result there is no longer a unified agent because there is no unified and objectified world that can be explained and understood rationally. The postmodern agent exists in a "discursive condition" (p. 206) and discourse always is in a state of flux. This does not mean that human agency is powerless. In fact, one can argue that postmodern agency is more powerful and complex than modernist agency because there are more opportunities for resistance. Foucault (1988) argues, "as soon as there is a power relation, there is a possibility of resistance. We can never be ensnared by power: we can always modify its grip in determinant conditions and according to precise strategy" (p. 123).

Economic and management perspectives on agency theory are daunting in that they focus on the relationship between principal and agent, which are governed by employment contracts, i.e., the law (Hatch, 1997). From this perspective the public relations practitioner (the agent) is not free to make choices but is rather governed by the performance expectations of the CEO or another executive (the principal) to whom she reports, further limiting decision-making power. This does not mean that the postmodern agent is powerless because contracts can and are negotiated all the time, as are workplace decisions. But the reality remains that the legal environment does put limits on economic agency it does not impose on human agency in general. In professional environments public relations practitioners are both human agents and economic agents.

Not surprisingly then, postmodern perspectives will be critical of any effort to establish sets of universal ethics and knowledge because it simply is an unrealistic endeavor. Ethical decision-making cannot be rules-based because society is imperfect and people are by definition morally ambivalent, i.e., neither inherently good nor bad (Bauman, 1993). Furthermore, ethical decisions are influenced by laws, which differ from one geographical area to another and one situation to another, with the constraints mentioned before.

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