

4. Do you think audiences are particularly vulnerable when it comes to complex topics such as financial news? Does that vulnerability result in any distinct ethical obligations?

## Macro Issues

1. Are there some subjects that are too serious to be made entertaining in this way?
2. Cramer is an avowed capitalist. Can he also be trusted to be an objective critic of the capitalistic system—particularly considering the financial disasters of 2008? Is that his role?
3. Evaluate the usefulness of Cramer's show to individual viewers. Is he advisor or entertainer?

## CASE 2-H

### WHAT'S YOURS IS MINE: THE ETHICS OF NEWS AGGREGATION

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In June 2008, *The Hartford Courant* cut 95 jobs from its news department, roughly half of its news staff, in two rounds of layoffs. But within a few months, with an online news hole to fill and a reduced staff, the paper started aggregating local news from surrounding dailies.

In a search of the publication's website for Aug. 29–30, 2009, *Journal Inquirer* reporter Christine McCluskey counted 112 stories that were written by the *Courant's* Connecticut competitors *Bristol Press*, *New Britain Herald*, *Torrington Register-Citizen*, *Waterbury Republican American*, and her own paper (McCluskey 2009). The stories were often—but not always—attributed to the original source, a practice Michael E. Schroeder, publisher of the *Bristol Press* and *New Britain Herald* called, “at best plagiarism, at worst outright theft” (McCluskey, 2009).

Jeffrey S. Levine, the *Hartford Courant's* director of content, explained his paper's position. “Aggregation is the process of synthesizing information from other news sources, most commonly by placing a portion of the information on your website and linking to the original story” (McCluskey 2009). He cited a mistake in his paper's editing process that “inappropriately dropped the attribution or proper credit

and in some cases credited ourselves with a byline to a *Courant* reporter” as the basis for the plagiarism claims.

The Society of Professional Journalists code of conduct states “Never plagiarize” and the Associated Press code warns its writers: “don’t plagiarize.” Similarly, an ethics primer in online journalism from the University of Southern California’s Annenberg School of Journalism states “Don’t steal others’ work. Such theft is plagiarism” (Niles 2009). Bill Kovach and Tom Rosenstiel call it a “deceptively simple but powerful idea in the discipline for pursuing truth: do your own work” (2007, 99).

However, aggregation is not a black-and-white issue. Is it acceptable to disseminate another news organization’s work as long as that work is properly credited? Should the rules be the same for newspapers, broadcast outlets, and online journalism? What about content-sharing organizations such as the Associated Press?

One of the core principles of journalism is the discipline of verification (Kovach and Rosenstiel 2007, 79). Aggregation violates that principle because it might not discriminate between rumor, fact, and speculation (Kovach and Rosenstiel 2007), and because it doesn’t allow for independent confirmation of facts. Falsehoods and rumor go unchecked even if the original source issues a retraction if the aggregators fail to correct or pull the offending story.

However, aggregation isn’t a new concept in the news business.

*Time* magazine was a notorious aggregator. First published March 3, 1923, Henry Luce’s flagship magazine aimed to summarize the news quickly, but few of its busy readers would have guessed that *Time* was digested entirely from the dozens of newspapers it subscribed to, “gaining its greatest free lunch from the opulent tables of the *New York Times* and *New York World*” (Swanberg 1972, 58).

Radio, at least in its infancy, relied heavily on newspapers for a steady supply of news reports. For their part, newspapers at first either cooperated with radio for increased exposure or completely ignored the new medium (Chester 1949). That changed with the rise of the CBS and NBC chain radio broadcasting networks and increased advertising competition from radio. On April 24, 1933, the members of the Associated Press “passed a resolution directing the AP Board of Directors to refuse to give AP news to any radio chain” (Chester 1949, 255). State and national press associations “busied themselves with resolutions attempting to restrict news broadcasting, mostly because it was incongruous for newspapers to furnish free news” to their competitors in radio (Hammargren 1936, 93). Eventually the courts weighed in, punishing the most egregious uses of newspaper content on the radio airwaves as an unfair practice.

Currently, the Associated Press is battling aggregating websites such as Google News over use of unauthorized content. The Associated Press announced plans in July 2009 to create “a news registry that will tag and track all AP content online to assure compliance with terms of use.” The proposed tracking system “will register key identifying information about each piece of content that AP distributes as well as the terms of use of that content, and employ a built-in beacon to notify AP about how the content is used” (Strupp 2009).

The Associated Press itself is a cooperative that supplies around-the-clock news content to its 1,500 US daily newspaper members, as well as international subscribers and commercial customers. There is also a recent trend among formerly rival papers to form localized content-sharing arrangements (Ricchiardi 2009). The newspapers cite budgetary constraints and the cost of Associated Press content as the major reasons for the arrangements.

But Alan Mutter, a former editor in Chicago and San Francisco who currently writes the blog *Reflections of a Newsosaur* speaks for those who regret the loss of diversity when he says: “Where there are multiple reporters covering the same beat or same event, you’re going to get multiple views and everybody is going to try harder to go to a higher level of reporting. It’s a fact of human nature that competition inspires better work” (Ricchiardi 2009).

## Micro Issues

1. Does proper attribution solve the ethical problem of aggregation? If not, do you have an alternative idea?
2. If news organizations voluntarily agree to offer their content to be aggregated under specific conditions, does that eliminate the ethical issues?

## Midrange Issues

1. Evaluate the following statement: Credibility, one of the foundations of journalism, is predicated on “the notion that those who report the news are not obstructed from digging up and telling the truth” and that the journalists can tell “the news not only accurately but also persuasively” (Kovach and Rosenstiel 2007, 53). Can an aggregator be expected to be a watchdog over information that their media outlet did not create?

2. How are content aggregators such as the *Huffington Post* distinct, in an ethical sense, from long-standing cooperatives such as the Associated Press?

### Macro Issues

1. Is aggregation an issue primarily of economics or ethics? If aggregators such as Google News paid for content, would that solve the problem?
2. Who “owns” the news? Does a media outlet have the right to require that a consumer pay for information that he or she needs to be a participant in a democratic society? Did the framers of the Bill of Rights give any clues in this area?