VISUAL TRUTH IN THE DIGITAL AGE: TOWARDS A PROTOCOL FOR IMAGE ETHICS

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Abstract
The old adage ‘seeing is believing’ was once applied to the reliability of photographic evidence and trust in photojournalism's reputation for truth and objectivity. However from photography’s beginnings the technical capacity to alter images has been available and practised, but manipulations then were easy to detect, on the original if not the reproduction. Advances in computer technology have now made the alteration of photographs and other images mostly impossible to detect, and image manipulation techniques are frequently applied by advertisers intent on deceiving the consumer, and by newspaper editors intent on influencing the opinions of readers, matters which challenge the ethical practice of photojournalism. Further concerns arise from considerations of the copyright and ownership of these images, for while the copying of all or part of a book or painting is readily apparent, the now easy and mostly undetectable manipulation of photographs (and other images such as clip art) renders the ownership of this artwork difficult to identify and to protect. The ease of image manipulation in the digital age requires the establishment of an ethical protocol for the guidance of practitioners and consumers. This paper describes the development and application of such a protocol in a higher education multimedia program.

1 Introduction
In his introduction to Visual Culture, Jenks (1995: 1) discusses the centrality of the eye in western culture, emphasizing that visual ability has become ‘conflated with cognition’ and that looking, seeing and knowing have become ‘perilously intertwined’, that is, the pathway towards our understanding the concept of an idea ‘is deeply bound up with issues of appearance of picture, and of image’. Jenks’ theories suggest an understanding of western society’s dependence on the pictorial representation of events which has led to a cognitive-based, (if not philosophical) ‘seeing is believing’ trust in photographic recording. This has been due in part to the automatic nature of the photographic process which has appeared more trustworthy than words or handmade images.

Yet photography from its beginnings in the 19th century, while demonstrating its ‘technical power to transform the material of the world into representation’ was, under the influence of Daguerre, (the most publicised inventor of photography) always a ‘combination of artistic, technical, theatrical and entrepreneurial achievement’ (Slater 1995: 218-219). Thus the concept of photography as truthful representation has always been set alongside such artforms as photomontage where the doctoring of photographs was used for caricature or emphasis (Evans and Gohl, 1986).

Lester (1991) and Kobre (1995) detail this long tradition of image manipulation, and the alterations which most often used conventional retouching techniques. These older techniques could generally be detected, if not on the reproduction, at least on the image itself, however, advances in computer technology in the past twenty years have allowed a more sophisticated and mostly undetectable alteration of photographs, so that consumers and readers at times may be innocently or intentionally deceived.

Brand, et al. (1985), Lester (1991) and Ritchin (1991) (amongst others) point to the increasing tendency of the news media to use the photograph to illustrate preconceived
editorial ideas, a development in photojournalism which has seen the profession's manipulation of photographs move beyond conventional retouching techniques and simple cropping of extraneous details to the continual revision of photographs so that they more precisely illustrate the point of view expressed in the text. Furthermore, photographs can be constructed to illustrate anyone's point of view in the publishing chain of command (Reaves 1991 & 1995). Such practices have led critics to label this change a move from photojournalism to photofiction (Ritchin, 1991; Wheeler & Gleason, 1995).

The ethical issues raised by the ease of image manipulation in the digital age require the establishment of an ethical protocol (Ritchin 1991; Lester 1991; Wheeler & Gleason 1995). Prominent in this protocol must be the definition of photographs under categories in the manner in which text is defined, such as fiction and non-fiction, or editorializing and reportage. It may be necessary to employ a specific terminology such as 'photo-illustration' to differentiate physically manipulated photographs from others. Similarly, other kinds of staging in photographs, such as the use of models as stand-ins, should be indicated to readers.

Educators of students in computing subjects where the techniques of image manipulation are taught have a responsibility to establish an image ethics protocol for their students to follow in both their academic work and future professional activities. This paper describes the establishment and application of such a protocol in a higher education multimedia program, by integrating ethics into the multimedia curriculum and by building moral sensitivity progressively throughout the three year degree program as a pathway to the moral judgement expected of the computing professional.

### 2 The long tradition of doctoring photographs

Lester (1991) provides a comprehensive record of the history of photographic manipulation. He begins with Hippolyte Bayard’s 1840 faked photographic self-portrait of his own suicide, which Bayard staged to protest the French government’s treatment of his photographic process. Thereafter follows a rogue’s gallery of historic photographic fraud using a variety of processes for staging and combining photographs. Even in the 19th century these composite photographs were criticised by a minority for misrepresenting the truth. Most often, at this time, portrait photography (enormously popular among the middle class) relied for appeal on the photographer’s ability to retouch his work to remove wrinkles and other facial blemishes.

Historical war photography (for example, the American Civil War) produced some unethical picture manipulations which were discovered only when photographs were compared much later and then revealed the rearrangement of ‘corpses’ in different photographs, for example. Even the popular close-up portrait of Abraham Lincoln was a composite of the Southern statesman, John Calhoun’s body with Lincoln’s head sandwiched atop. In more recent times the same photographic technique has been used to set Oprah Winfrey’s head atop the body of actress Ann-Margret on a *TV Guide* magazine cover.
In *Making People Disappear*, Alain Jaubert (1986) (cited in Lester, 1991:101) chronicled numerous photographic abuses by mostly totalitarian regimes which used retouching, blocking, cutouts, recentering, and effacement techniques, to doctor historical pictures to reflect a political leader’s version of the truth.

Similarly many charges of manipulation cloud famous pictures and Lester (1991:117) recounts the ‘unrelenting ethical controversy’ surrounding Rosenthal’s Pulitzer Prize classic photograph involving the US marines’ flag raising at Iwo Jima in World War II.

What is significant about this historical record of image manipulation is not that it happened, but that so much of it was so easily discovered because the photographic techniques of the time were sufficiently clumsy to allow the detection of alterations. These earlier techniques of photograph retouching took painstaking work which was expensive as well as time consuming. The application of computer technology to photography has now allowed the photograph to be modified with ease and speed, with little evidence of alterations.

Modern computerized photographic techniques allow, as well, the quick synthesis of artificial images which are not based on reality. When a photograph is taken with a digital camera, or is scanned and converted to digital information, the entire image can be modified in many ways, that is, its colour, brightness and focus can be changed and elements of the image can be replicated or taken out altogether. This process can be accomplished in minutes and is almost impossible to detect. ‘The result of this electronic manipulation is a seamless, fast alteration of the photograph - and of its representation of reality’ (Ritchin 1991: 28).

Kobre (1995: 14) details recent cases of photographic manipulation, for example, a National Enquirer cover photo under the banner headline ‘Battered Nicole: Photos taken by her sister show how O.J. beat her up’, which apparently showed Nicole Simpson’s bloodied and swollen face. Less obvious was the smaller type under the photograph, ‘Sister describes photos seized by cops - computer re-creation’.

Kobre (p. 15) makes a case for a stronger photographic access to all situations, and for a wider distribution and publication of photos, so that faked information may be countered with the truth. In the case of the *Enquirer’s* fake picture, if the media had had access to the pictures of the beaten Nicole Simpson which were tendered during the O.J. Simpson trial (and which were much more disturbing than the fake photograph), then the *Enquirer’s* fictional image would have been unnecessary or, at least, it would have been countered by the publication of the authentic images. Unfortunately for Kobre’s suggestion, the control of what people see in respect of visual news information increasingly rests with a powerful few, even in democracies, and there is less and less chance that greater photographic access will combat the potential misuse of adeptly altered photographs.

Photographic manipulation raises issues of ethics and truth in photojournalism. Ritchin suggests that photojournalism should now be described as ‘editorial photography’, for an editor can manipulate any aspect of a photograph (Reaves 1991 & 1995). Whereas editors must consult with news writers before making significant changes to a story,
photographers’ images may be selected and manipulated without negotiation, and the photographer has little chance of recourse.

This editing control raises questions of both copyright and ownership in respect of the original photograph. Should the photographer or the photographic manipulator share the reward for the original image? How might a manipulated photograph be traced back to its source? Whereas a book or painting may be seen as a whole, and the copying of all or part may be reasonably detectable, the easy, and most often undetectable, manipulation of photographs and other images (such as clip art) renders the ownership of this artwork difficult if not impossible to protect (Mitchell, 1994: 51).

3 Image manipulation with the intent to deceive?

Well known examples of editorial manipulation of photographs have included the digital realignment of the pyramids at Giza on a 1982 *National Geographic* cover, a distortion which was defended by the editor (when challenged) as depicting an angle which the photographer might have taken had he repositioned himself. A *Science* 84 cover (cited in Ritchin, 1991: 32) represented the application of three major imaging techniques which resulted in the creation of a ‘realistic’ image from scratch, that is, a simulated reality. The editor in this instance did not set out to deceive his readers, in fact the cover carried a caption ‘This Picture is a Fake’.

However, a later incident suggested a different intent. At the time of the O.J. Simpson trial, a June, 1994, cover of *Time* magazine featured a computer-retouched Los Angeles Police Department ‘mug shot’ of the former football star and now alleged murderer. The image was referred to on the contents page of the magazine as a ‘photo illustration’. When challenged by observers who saw the photographic manipulation as misleading, racist, and potentially legally prejudicial, the editor defended his action by arguing that the photographic image had been ‘subtly smoothed and shaped into an icon of tragedy’ (Wheeler and Gleason 1995: 8). The editor did in fact apologise to his readers for this photographic manipulation.

Another *Time* cover featuring a montage of a studio photo coupled with an actual scene (but not labelled a montage) caused *Time*’s picture editor to write directly to readers who had complained (Ritchin 1991: 34). (There is some comfort here that vigilant and vocal consumers have demanded authenticity in photographic images, and have received apologies for alleged deceptions.)

Again using image manipulation, the realignment of the photographs of personalities has allowed misperceptions in the minds of readers, for example, the closeness or otherwise of the interaction between world leaders (such as Margaret Thatcher and George Bush) by the juxtaposition of their images. The advertising industry has attracted criticism also for encouraging misperceptions in consumers, such as the manipulation of travel photographs to enable them to show non-existing natural features in the region being promoted.
These various examples depict newspaper and magazine editors using computers for image manipulation at the expense of visual truth. These acts bring into question problems of image authentication not only in respect of photojournalism, but also in the use of photographs as evidence in legal cases, and for any other documentary purpose, such as the compilation of social and cultural histories.

4 Photojournalism or photofiction?

Ritchin (1991: 36) suggests that as photographs depart from their original purpose of visual record, that it will be important to differentiate them in ways similar to the categorization of text as fiction or non-fiction, editorializing or reportage. This suggestion is taken up by Wheeler and Gleason (1995: 9) who argue that while acknowledging that ‘photography is not absolute “reality”, is not unqualified “truth”, is not purely “objective”, that there is a ‘point where enhancement becomes distortion’.

Ritchin (1991: 36) is clear in apportioning accountability for the visual truth of editorial photography, arguing that those who control its uses should clearly understand what they are doing to the public’s view of the authenticity of the photograph. He contends that ‘(editors) should address both the question of image manipulation by the computer and the more general tendency to use photographs to illustrate preconceived ideas and self-fulfilling prophesies’. But whether the media will undertake this kind of soul searching, or is capable of self-regulation, is yet to be seen.

Ritchin argues that if even a minimal confidence in photography does not survive, it is questionable whether photographs will continue to have any meaning, not only as symbols but as evidence, and in many legal cases it may be difficult to prove events without photographic evidence.

5 Visual persuasion in advertising

The ethics of visual persuasion in advertising have been raised comprehensively by Mitchell (1994) and Messaris (1997). Advertisements can be judged unethical if they use images to make false claims or to sell harmful products, but a different form of advertising uses image in a more subtle manner. While acknowledging that advertisers’ chief business is not to make people feel good about themselves, Messaris (1997: 267-8) points to images which focus on the discrepancy between an idealized vision of life and the needs and abilities of real people. This form of advertising may create a fantasy world that becomes a source of dissatisfaction in people’s real lives, and this is especially true of advertisements which use sex or status for their appeal. Such advertisements may create a dissatisfaction with body shape, which may then lead to eating disorders.

Messaris (1997: 271) suggests that although it is important to make known misleading or fraudulent images, sometimes ethical judgements on specific advertisements are less clearcut. He uses as an example a 1990 Volvo TV commercial in which a monster truck
flattens other cars but fails to squash a Volvo 240, in a scene which was staged with a Volvo which had been strengthened. This was particularly interesting ethically as the advertisement was based on a real-life incident in 1988 in which a Volvo had withstood a monster truck’s weight. Then why was it necessary to reinforce the car for filming the commercial? An industry spokesman’s defence was that the car was reinforced because of the necessity for repeated ‘takes’. Messaris questions whether this explanation justified the advertisement’s staging. Other ethicists have also agreed that even with the addition of a ‘dramatization’ tag, this would not be sufficient to excuse the commercial’s creators.

Image-based advertising allows sellers to express ideas they might be unwilling to put into words. Some reluctance to spell things out verbally may be a response to societal inhibitions. In other cases, this reluctance reflects the fraudulence of the advertiser’s claims which could be challenged legally. Messaris (p. 273) cites an example of an organisation which promoted nutritional supplements for bodybuilders. Scientific evidence had shown these substances were no better at inducing muscle growth than an ordinary balanced diet, and the commercial did not make this claim verbally. Instead its message relied on a visual ‘cause-effect juxtaposition: on one hand, an image of the product; on the other, an image of a champion body-builder’ (Messaris 1997: 274). When challenged, a company spokesman argued that the company could not be held responsible for what individual viewers saw in the images.

6 Moral rights of subjects in photographs

The moral rights of subjects in print media photographs, television and film have been identified by Gross et al. (1988) and Lester (1991, 1995 & 1996). One such case was the use by the large corporation, Benetton, of the harrowing picture of a dying AIDS patient in an advertisement of its products (Lester, 1995: 78-79, 98-99). Other examples of the intrusiveness and inappropriateness of photographic reporting of tragic and often grisly events are reported in Lester (1991 & 1995) and in his 1996 text which has examined the use of photographs in perpetuating the stereotyping of minority groups.

The struggles for protection of the privacy of personalities from the intrusion of media photographers have been reported comprehensively over the past decades, but developments in satellite technology (Powell 1998: 93) suggest that the privacy of ordinary individuals is also now under threat as new technology fast outstrips the development of ethical protocols which might guide its use.

Powell reminds us that in much earlier days of the U-2 spy planes and Sputnik, ethical issues related to the use of satellites centred mainly on military secrecy and national boundaries. However, at the end of the nineties it is satellite use, together with high-powered lenses, infrared sensory devices, instant high-resolution image transmission, and the capacity for global observation which have magnified communication ethics issues. As worldwide satellite images reveal air, sea and land forces ready for battle, conventional warfare has become obsolete, but civilian privacy has changed dramatically also, as ‘backyard sunbathers, naturalists, couples, speeding vehicles, and
naked paramours seen through bedroom windows can all be identified, photographed, and publicized without their awareness or permission’, (Powell 1998: 93).

Powell suggests that as the power, range and frequency of space photography increases in tandem with its potential for commercialism (already vendors in many countries routinely sell space imagery to media outlets), then communication ethicists must consider, firstly in journalism, the decisions of editors and producers regarding the publishing of invasive photographs (which may also deal with military secrecy); and, secondly, in new media ethics, the need for monitoring and debating decisions about who ‘employs, duplicates, regulates, as well as who sells and buys satellite imagery’, (Powell 1998: 93).

7 Towards a protocol for image ethics

Wheeler and Gleason (1995) have suggested an ethical protocol in respect of the digital manipulation of images which would enable a reader or consumer to ascertain whether or not an image had been modified by a system of icons which would identify altered and unaltered photographs. This system may also serve to protect the moral and legal rights of the photographer (or graphic artist, or film director, for that matter) in ownership of this intellectual property.

Whilst there is general support for such a system of labelling of photographs and other artwork, the need for a more encompassing protocol for image ethics has become evident in view of the myriad of new communications technologies developed in the 1990s and others which are anticipated in the next millennium. These technologies include satellites, fibre optics, faxes, the internet and virtual reality (amongst others), which bring with them social effects and ethical issues which arise before society has begun to assimilate these rapid changes in communications. For, as Cooper (1998: 71) points out, every new technology ‘creates hidden effects in its environment, (and rearranges) the social order it penetrates’.

A hidden effect of the new communication technologies is that deception has been made easier, and this is evident in the accidental and deliberate substitution of illusion for reality by editors of newspapers and magazines (Reaves 1991 & 1995), in false and persuasive advertising (Messaris 1997), and in infringements of the moral rights of subjects in photographs (Gross et al. 1988; Lester 1991, 1995 & 1996 and Powell, 1998).

Documents and photographs may now be altered from a distance without detection, and realistic, yet artificial, images may be quickly synthesized. As Cooper (1998: 74) suggests ‘Theoretically, a presidential candidate may now be computer generated, credentialled online, and elected without ever being publicly seen (other than via a human stand-in)’. In similar vein, Powell (1994) has predicted totally synthetic news events, while Pavlik (1996, 1998) has noted a digitally retouched Pulitzer Prize winning photograph.
When invasion of privacy occurs with old technologies such as a camera capturing bare-breasted and toe sucking personalities at a holiday hideaway, such invasion has very different qualities than ‘cyvacy’, (computer privacy invasion) (Powell, 1998: 93). This new invasion of privacy is remote, undetectable, and global in scope, that is, ‘(it) is no longer personal but is transformed to global and impersonal’, Cooper (1998: 83).

Thus, as Cooper (1998: 81) reminds us ‘cable, satellites, and internet all amplify existing problems, (such as) obscenity and indecency by making controversial and criminal (in many cultures) images available to much larger, different, and younger audiences’.

A protocol for image ethics in the next millenium must encompass the issues outlined above and be proactive rather than reactive to the ethical problems created by the unique features of the new technologies, which are exacerbated by the rapid rate of invention and implementation of these new devices and software, often with unpredictable effects.

8 Image ethics in a higher education multimedia program

Too often in higher education, we leave the teaching of ethics to philosophers or to specially designated courses such as Media ethics. This is a missed opportunity, for research has shown that integrating ethics in discipline-appropriate ways adds to and not detracts from the teaching and learning of ethics (Roberts 1994 & 1995; Lisman 1996). These considerations have led to the integration of image ethics in the multimedia program of a Bachelor of Arts degree at the University of South Australia.

The model which structures the image ethics component relies on the work of Rest and Narvaez (1994: 23-24) who developed a model of ethical decision making which involves four distinct components along a continuum: moral sensitivity, moral judgement, moral motivation, and moral character.

Moral sensitivity may be described as the ability to independently recognize the ethical implications of a situation. It is an important starting point, for skills in constructing moral arguments are of little worth if individuals cannot detect when these are required. Moral judgement is the process of deciding which actions are morally appropriate when faced with an ethical dilemma. Moral motivation is the relative weight one gives to moral judgements when comparing them with other things of value. Moral character is reflected in the ‘psychological toughness’ required to follow through with a moral decision.

Rest and Narvaez’ model of ethical decision making is particularly useful in the context of the University of South Australia’s Graduate Qualities. These are a set of personal and professional qualities which the university anticipates as outcomes for its graduates, and which underpin the university’s educational programs. One of the Graduate Qualities involves the development of the graduate as an ethical professional.
In the Multimedia program there is a sequence of core subjects which commence with an introductory general computing subject which is then followed through multimedia specialisms to Honours.

Naturally enough (in a multimedia program) subjects at all levels have a main focus on visual arts and communication which involves the construction and manipulation of images. Each of these subjects (including the introductory subject) has an integrated ethics component, appropriate to the particular level of study and to the technical content of each level.

Each ethics component has as its starting point Moral Sensitivity, that is, the ability to independently recognize the ethical implications of a situation, and students are introduced progressively to the concepts of Moral Judgement, Moral Motivation and Moral Character.

The overall aim of this ethics program is that students establish a personal protocol for image ethics which they will apply in their student and professional lives. The ethical protocol follows the structure outlined in Section 7 above and may be briefly summarised:

- An image should be identified as ‘original’ or ‘altered’ and labelled accordingly
- An image should not infringe copyright or another’s intellectual property
- An image should not be used to deceive or persuade
- An image should not infringe the moral rights of its subject(s) in relation to privacy and stereotyping
- An image should not breach ethical and legal standards in relation to obscenity and decency
- An image professional should anticipate that new communication technologies may carry with them unpredictable and unwanted effects for society, be prepared to research and debate these effects, and work towards society’s control of technology and its effects
- An image professional has an individual responsibility for vigilance and action to defend the visual truth of information

9 Conclusion

Formerly image ethics issues have been studied only after serious problems have arisen. With the benefit of hindsight, it can now be anticipated that each new technology will bring both benefit and disturbance to society, and that in order for society to gain control over technology and be able to influence its effects, evaluations of technologies much include not only the performance of their technical properties, but also an examination of their effects on organizations, societies and individuals.
There is a vital task ahead which involves prompting awareness of the scope of ethical issues which arise from the use of new communication technologies, problems which face consumers, media professionals and students of communication. At the same time research and debate of these issues in society, industry and academia must be encouraged.

And, most importantly, each individual must take responsibility for protecting visual truth in communication, for as Ritchin (1991: 37) warns:

‘As readers we must remain vigilant. Otherwise, what as a society, and among societies, are we going to be left with as a form of communication that can be trusted? What information will people be able to rely upon to make decisions? Or most precisely, what will be the role of the press in a democracy be worth? ... Undoubtedly, we will all be told that what has happened is the computer’s fault, and we will then be even more isolated in our own media bubbles than ever before.’

10 References


