
Legal and Ethical Considerations for Public Relations Book Review

Alan K. Caldwell
Pepperdine University, alan.caldwell@pepperdine.edu

Follow this and additional works at: <https://digitalcommons.pepperdine.edu/pjcr>



Part of the [Business and Corporate Communications Commons](#), and the [Communication Commons](#)

Recommended Citation

Caldwell, Alan K. () "Legal and Ethical Considerations for Public Relations Book Review," *Pepperdine Journal of Communication Research*: Vol. 10, Article 11.

Available at: <https://digitalcommons.pepperdine.edu/pjcr/vol10/iss1/11>

This Book Review is brought to you for free and open access by the Communication at Pepperdine Digital Commons. It has been accepted for inclusion in Pepperdine Journal of Communication Research by an authorized editor of Pepperdine Digital Commons. For more information, please contact bailey.berry@pepperdine.edu.

Legal and Ethical Considerations for Public Relations Book Review

Cover Page Footnote

Gower, K.K. (2018). Legal and Ethical Considerations for Public Relations. Waveland Press.

Legal and Ethical Considerations for Public Relations Book Review

Alan Caldwell, Pepperdine University¹

Abstract

Book review and analysis of the strengths and gaps in the content of *Legal and Ethical Considerations for Public Relations* by Karla K. Gower.

Keywords

communication, public relations, legal obligations

Book Review

Gower, K. K. (2018). *Legal and ethical considerations for public relations*. Waveland Press Inc., Long Grove, IL 60047-9580. 3rd Edition.

Ignorance of the law does not absolve an individual of the consequences of breaking the law. For public relations practitioners, a lack of awareness and understanding of the legal ramifications of their communications may result in significant legal and financial liabilities not only for the public relations practitioner but also for their organization or client. In her book, *Legal and Ethical Considerations for Public Relations*, Dr. Karla Gower (2018) discusses the moral and legal obligations individuals in public relations and communications must consider as part of their professional work environment. Gower focuses on what she considers to be the most critical legal and ethical issues affecting public relations practitioners, which include understanding the difference between morals and ethics, aspects of the law that affect public relations, and protecting creative content. Gower serves as the Behringer Distinguished Professor in the Advertising and Public Relations Department of the College of

¹ Alan Caldwell is a Ph.D. student in *Global Leadership and Organization Change Management* at the Graduate School of Education and Psychology.

Communication and Information Sciences at the University of Alabama. She holds a doctorate in mass communication from the University of North Carolina, a master's degree in mass communication from Arizona State University, and a law and bachelor's degree from the University of Western Ontario, Canada. Her credentials establish her expertise in discussing the law related to public relations and communications. The book's thesis asserts that we must increase awareness of laws and issues affecting public relations practitioners and help them ask the right questions to protect themselves against the potential legal ramifications of their work.

There are five sections in the book, with the first section discussing the difference between morals and ethics and the failure of legality to predict morality. Morals are beliefs of right or wrong based on family and culture; ethics are external rules of conduct provided by groups to which you belong. Consequently, morals and ethics can conflict. An example in the book states that if a county clerk refuses to grant a same-sex marriage license to a couple because of their religious beliefs, they are being moral; however, if the law allows for the granting of a same-sex marriage license and the county clerk refuses, they are being unethical because they took an oath to uphold the law. A key takeaway is that public relations professionals serve as the conscience of an organization and play an essential role in managing its brand reputation through its stakeholder communications. Section two transitions into a definitional overview of the various types of speech typically utilized in public relations, including a historical analysis of the First Amendment and the freedom of expression at a social and individual level. The remainder of section two provides an overview of corporate and commercial speech, representing the typical communication categories for public relations professionals. Section three highlights the typical regulatory agencies regarding public communication. The discussion primarily focuses on federal agencies and governmental regulations and how it affects the development of communication materials. Section four develops the arguments

related to harming others. This chapter provides an in-depth discussion on libel, privacy, and personal injury. This section is the most extensive part of the book, and the material illustrates the consequences associated with the work of public relations practitioners. The final section outlines the mechanisms of protecting creative works, including a discussion on copyrights and trademarks.

An immediate strength of the textbook is the material's layout, design, and presentation. The content is presented in simple, straightforward language and flows logically throughout the book. Each section concludes with a Discussion Section, which provides a series of thought-provoking questions that help reinforce the material presented in the section. Overall, the questions in the discussion strengthen the connection to the concepts within the section; however, the author's presentation of the questions is better suited for group discussion. Including additional self-reflection opportunities within the discussion section would assist readers in reflecting on how the material impacts their approach to developing communication materials. The book's purpose is to serve as an informative and pragmatic roadmap for public relations professionals to navigate the complexities of the legal environment related to communicating with stakeholders.

The author's primary premise is that public relations practitioners unknowingly create communications that increase an organization's legal and financial liabilities. She bases this conclusion on Kathy Fitzpatrick's 1996 study that many public relations professionals believed they were only somewhat familiar with the law. However, Gower is relying on 26-year-old data. This outdated information may not accurately depict the current legal knowledge of public relations practitioners. Gower would be better served using more recent data or developing an empirical research project on public relations practitioners' legal knowledge to strengthen her arguments about public relations practitioners' lack of legal knowledge.

Gower utilizes a case study approach to present the material. The case study focuses on the Beech-Nut corporation and its challenges associated with their children's apple juice ingredients. The organization periodically experienced ethical breakdowns that resulted in fines due to their lack of transparency and honesty in their communications with stakeholders. Gower's main points are highlighted in various aspects of the case study. Using a case study approach is an appropriate methodology because Gower roots the opening discussions of morals and ethics of Beech-Nut in a theoretical framework to support the importance of morals and ethics to public relations. Gower's discussion includes an analysis of classical theories like deontology (means-based ethics), consequentialism (ends-based ethics), egoism, and virtue ethics. The discussion of classical ethics theories underscores the complexity of the constant battle between ethics and morals. The discussion highlights the difference between ethics and morals and increases understanding that they are different concepts.

While Gower's early discussion of morals and ethics is essential, she argues that obeying the law is only a starting point. For public relations practitioners, she highlights the importance of the internal battle of morality, which she believes is essential because it elevates an individual's behavior to a higher standard beyond simple legal compliance. Following the discussion of the importance of moral and ethical decisions for public relations, Gower transitions to the legal aspects of communication.

The author then focuses on freedom of speech and discusses the historical limitations of the First Amendment in the realm of corporate speech and commercial speech. Companies rarely participated in corporate speech. However, in 1978 the Supreme Court expanded corporate speech protections for organizations, which allowed them to expand communications on public issues. The broadening of the Supreme Court's First Amendment freedom of expression protections created a

powerful persuasive pulpit for corporate public relations practitioners, which increases the need to educate communicators on the legal ramifications of their campaigns and the content of their materials.

Gower provides an excellent theoretical foundation to establish a morality base and an in-depth legal framework discussion regarding communications. However, the book lacks contemporary topics and current data on the legal knowledge base of public relations practitioners. The book's weakness is the lack of attention and material associated with the proliferation of social media channels and connecting with stakeholders directly. The author barely discusses the implications of the content developed for channels like Twitter, Instagram, and TikTok. The opportunity to connect legal requirements in the limited unregulated world of social media could add the depth of knowledge needed for public relations practitioners in the expanding digital environment.

Overall, Gower's book is an excellent resource for all public relations practitioners. Given the scarcity of material related to legal ramifications for public relations practitioners, the book provides valuable advice, clear examples, and suggestions to expand the body of knowledge related to the intersection of communication materials and the legal environment. The book provides a legal foundation grounded in the Beech-Nut case to help students and practitioners improve capabilities in balancing content development with legal requirements. It is a quick reference manual for seasoned public relations practitioners and provides access to the most critical legal considerations in developing stakeholder communications. Although the book is not an exhaustive, detailed discussion or analysis of legal implications, it provides a high-level summary of the most common legal issues to help practitioners protect brand reputation and minimize legal and financial liabilities for their organization or client.