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Codes of media ethics

Abstract

The practical "expression" of the very existence and validity of media ethics are ethical codes formulated and implemented by particular media entities or specific media circles (journalists, entertainers, etc.). The multiplicity of these codes and many differences between them (sometimes relating to some fundamental issues) prompt quite a few reflections here. The question of the universality of media ethics should be discussed primarily. Opinions on the construction of a universal code of ethics, that is referring to all media and endorsed by all media professionals, are somehow divided. For example, according to the German author U. Saxer, due to the plurality of perspectives on different worldviews and the very relation between professional ethical norms, there is no sense in presenting uniform, universal ethics of media[1]. However, this contention does not appear to be justified, because it is easy to separate certain norms related to a particular worldview (e.g. the prohibition on the presentation of any content contrary to the Christian values) from universal norms (e.g. the principle of truth).

Keywords: media, ethics, codes.

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1   Compare with U. Saxer, *Journalistische Ethik im elektronischen Zeitalter*, in: *Ethik zur Medienkommunikation. Grundlagen*, Freiburg 1992, p. 118 *et. seq.*

The practical "expression" of the very existence and validity of media ethics are ethical codes formulated and implemented by particular media entities or specific media circles (journalists, entertainers, etc.). The multiplicity of these codes and many differences between them (sometimes relating to some fundamental issues) prompt quite a few reflections here. The question of the universality of media ethics should be discussed primarily. Opinions on the construction of a universal code of ethics, that is referring to all media and endorsed by all media professionals, are somehow divided. For example, according to the German author U. Saxer, due to the plurality of perspectives on different worldviews and the very relation between professional ethical norms, there is no sense in presenting uniform, universal ethics of media[1]. However, this contention does not appear to be justified, because it is easy to separate certain norms related to a particular worldview (e.g. the prohibition on the presentation of any

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content contrary to the Christian values) from universal norms (e.g. the principle of truth).

It is difficult to resist the allegation that the uniformity of ethical principles would in practice lead to the unification of media coverage by eliminating any content contrary to such a universal code, all the more that this form of convergence of the coverage would be contrary to the principle of pluralism of views and norms, being the correlation of an individual right to freedom. If, for example, we assume that media should maintain impartiality and objectivity, and also exercise certain control function over the politicians' activities, then the principle that media should participate in the strengthening of independence (in countries where such independence has been recently gained) would be contrary to the principle of media ethics. What should also be forbidden is to let media get involved in various types of conflicts, including armed conflicts. It is not difficult to imagine that in the event of an armed conflict between two countries, such a conduct could be regarded as a lack of patriotism, and therefore unethical. From the point of view of the participants in such conflicts, the moral obligation of media is to engage in these conflicts, of course, on the part of one's own country[2].

Some codes that claim to be universal are in practice adopted by some media circles only, while being criticized or rejected by the others. An example of such a code is the Journalistic Code of Conduct, adopted by the Polish Media Conference, which was not accepted, among others, by TVP and TVN stations. This fact may be surprising because the code itself, perhaps in the name of the universality of its principles, consists mainly of some vague rules (banning, *inter alia*, the breaking of the rule of law, obliging to remain reasonable when showing suffering and violence, but simultaneously introducing responsibility before the Media Ethics Council)[3].

The authors of media ethics generally form a set of ethical standards that should apply to all media and media professionals. Claude-Jean Bertrand, the author of the already cited *Media Deontology*, distinguishes three groups of principles here: general norms, such as respect for life, promotion of tolerance to all differences, respect for others' possessions (the author means intellectual property, but it is yet another formulation of the principle "do not steal") or prohibition on causing suffering (which, however, follows from the principle of respect for life), etc.[4] The two other sets of rules apply to journalists (media information sector) and to those responsible for entertainment.

Within the circle of journalistic ethics, Bertrand also incorporates certain norms that are difficult to be regarded as moral principles in the strict sense of the word.

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2   Ryszard Kapuściński writes in his report on the "football war" between Honduras and El Salvador: "On both sides of the border the newspapers carried out campaigns of hatred, slander and insults. They insulted each other by calling the opponents the Nazis, dwarfs, drunks, sadists, spiders, aggressors, thieves, etc." R. Kapuściński, *Football War*, Warszawa 2007, p. 191. Depending on the point of view, media behaviour can be judged to be contradictory to or in accordance with ethical norms, an argument against the possibility of building universal media ethics.

3   Compare with P. Kwiatkowski, *Przedsiębiorstwo Apokalipsa*..., p. 55.

4   C. J. Bertrand, *Deontologia mediów*..., p. 77.

From the rule whereby journalists are obliged to provide information the author derives, for example, the principle of "observing the environment", "selecting information", "information gathering" and so on.[5] Apart from the fact that these norms come[6] from the principle of providing real information, they appear to be merely technical instructions, which describe how this general information rule is to be implemented. We also have a similar situation in the case of general ethical standards (i.e. not being part of any professional ethics). From the rule asking to save life, for example, it is possible to infer that a victim of a road accident who is not breathing should be applied artificial respiration. In turn, from the standard "do not steal", one may infer that it is forbidden not to break into someone else's house, etc.

Even more doubts can be raised with regard to the rules relating to entertainment media, as shown by J. C Bertrand. The author writes, among others, that "entertainment in media should enliven the sense of dignity and fraternity between people (...)"[7]. "The mission of the television is also to invigorate respect for certain commendable behaviours, the home nest, marriage and family as well as for the state."[8] "It should be forbidden to display in a positive light any forms of predatory behaviours, selfishness or cruelty"[9]. The author cites these principles after the American television code of ethics dated back to the beginning of the existence of television, but he also expressed his regret that there is so much contrast between these principles and what "intensive commercialization" has led to.

Bertrand's main effort is, however, to develop methods for the realization of these moral indications in the general media practice. The author hopes to use for this purpose the very same force that ensures effective influence of media, that is the power of public opinion. Among these methods Bertrand distinguishes various forms of media criticism (e.g. in a form of brochures, websites, editorial letters, specialist publications), supervision (e.g. media ethics) and ethical education (e.g. weekly seminars for journalists).

Zbigniew Sareło presents a completely different view on media ethics. Starting from the assumptions of the Christian personalism concept, the author formulates in the first place general principles that form the framework for social communication. The superior principle is, according to Sareło, the good of the individual (person) and the strengthening of unity between people[10]. This concept of the good of an individual is in turn defined in terms of personalism, i.e. as development, growth, enrichment of the person in question by learning the truth about the surrounding world. From this rule, the author derives a number of detailed standards and he also formulates a number of critical remarks about the conduct of media.

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5   *Ibid.*, pp. 81, 96, 97.
6   I assume here that logical inference can be made from associate statements.
7   *Ibid*, p. 105.
8   *Ibid*, p. 106.
9   *Ibid*, p. 107.
10   Compare with Z. Sareło, *Media w służbie osoby...*, p. 58.

It is also important for the author to share responsibility of the recipient for the ethical level of media, but this shared responsibility comes down to two dimensions: refusal to accept any content contrary to the principles of media ethics and concern for one's own spiritual formation, which would altogether cater for a "motivating" environment for morally decent conduct[11]. The author does not propose any measures to control and, if necessary, enforce ethical standards on media, which in practice could lead to a form of isolationism of their certain part (i.e. acting in accordance with the principles of personalist media ethics) as well as a certain part of the audience. In other words, the condition for the dissemination of media ethics proposed by the author is the acceptance of personalism and the ethics evolving from it, but it is difficult to hope for this development in the age of increasing secularization.

Yet another approach to ethical issues is presented by media professionals themselves, especially journalists. First of all, it should be noted that the views of the stakeholders here are often marginalized and overlooked in media ethics (and journalistic ethics). The cause of this state of affairs seems to be a casuistic approach to media ethics in general (which I will talk about in a moment), but on the other hand, it is important to note that media professionals are sometimes treated by ethics experts in much of a subjective way. They are expected to adhere strictly to certain ethical standards, and this obligation is imposed without paying consideration to the conditions under which media operate, nor to certain constraints associated with such circumstances. This results in distrust and suspicion on the part of ethicists (less often media experts) and a disrespectful attitude towards any ethical reflection on the part of the media people.

If journalists or other media professionals do already speak out about the ethics of their profession, then these statements refer mainly to some specific, grave violations of moral norms. Then, on a case-by-case basis, a principle relating to such situations is formulated. And so, the very fact that some owners of media are hiding capital ties might lead to the conclusion that hiding any involvement in other types of business activities is "unethical" and should therefore be prohibited[12]. The publication of a "verdict" by a newspaper in the criminal case, in which the main defendant was eventually acquitted by the court, becomes the basis for a principle prohibiting the formulation of judgments in relation to judicial proceedings before final verdicts are passed. One can cite many more similar examples. They are as much important because in practice it is on their basis that ethical codes are created and are then taken on by various media.

S. Mocek (following Max Weber) divides journalists into two groups according to the type of "ethics" they adhere to. Thus, according to the author, the "ethics of belief" and "ethics of responsibility" can be distinguished among the various journalists' attitudes. The "ethics of belief" consists of uncompromising adherence to one's values, principles and ideas. On the other hand, the "ethics of responsibility" assumes "subordination of the means to one goal". What matters

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11   Compare with Z. Sareło, *Media w służbie osoby...*, p. 55.
12   P. Kwiatkowski, *Przedsiębiorstwo apokalipsa o etyce dziennikarskiej*, Poznań 2003, p. 220.

here is therefore the effectiveness of an action, while the type of measures used is a secondary issue[13]. Between these two extremes one can possibly find (and support with specific examples) many variations of intermediate attitudes, but such differences come to the fore in conflict situations when one is faced with the desire to meet moral principles and the requirements of effectiveness. And so, the proponent of "ethics of belief" would show a tendency to follow the rules even if it would condemn him to a losing race in the context of attracting the most robust audiences. Whereas the advocate of "ethics of responsibility" would break moral principles whenever certain benefit was achievable, provided however that the specific conduct was in line with the primary purpose of media, i.e. to provide information, education and entertainment. This latest objection is important here because for M. Weber, who proposed this division for a political reflection, the "ethics of responsibility" should be adhered to in the context of such activity (i.e. political activity). The conduct of the "ethics of responsibility" does not mean that all moral principles should be abrogated, but that it is necessary to assume all the necessary responsibilities and, from the point of view of the common good, also inevitable moral compromises.

The crucial question is therefore whether the ethical codes developed by the proponents of the above-mentioned views on the essence of media ethics would be similar or would differ in some key media practice areas. The reading of ethical codes allows to state that the principles contained therein can be divided into four categories: principles that guard the truth, principles in defence of the freedom of media, principles protecting the good of an individual and the rules for the common good. It is therefore worth looking at the specific provisions of ethical codes, which will show the differences in the way we understand some basic concepts (such as truth, freedom, mission), while revealing the limits of moral compromises that some creators of ethics seem to agree with.

It is a form of truism to claim that truth is the basic value of interpersonal communication. However, as I mentioned in one of the previous chapters, the truth may not only be jeopardized by the intention of concealment or distortion, but also by various "technical" disturbances. Therefore, the principles that guard the truth can also be defined as norms that protect the communication process. In conflict with these standards are, among others, any misplaced distortions in the transmission process resulting from insufficient knowledge and skills. This principle therefore implies the obligation to continuously improve the professional workshop by media professionals.

An additional difficulty arises from the ambiguity of various language signs through which information is conveyed. Therefore, media professionals are required to select linguistic means that minimize the risk of the message being misread by the recipient. This principle is inconsistent with, among others, any attempts to "make the message more attractive" through the treatments discussed in Chapter IV.

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13   Compare with S. Mocek, *Dziennikarze po komunizmie...*, p. 42.

The standards related to the communication process serve the purpose of achieving the overriding goal of communication, i.e. the good of its participants. In media ethics, these norms are particularly important, because the communication process here takes the form of a message being almost entirely unilateral, with a clear distinction between the sender and the receiver. Because of this asymmetry, the term "communication" (or mass communication) does not seem to be adequate. It is the process of transmitting messages that we are faced with here, rather than the process of exchanging them, and it is all the more difficult to imagine how this could ever be changed (perhaps an exception could be the Internet, yet it should be treated more as a communication channel than medium as such).

The basic principle of the communication process is the principle of truth. Although this concept was analysed when discussing the notion of media objectivity, it is worth returning to it and considering whether or not there is some space for any pursuance of truth in the realm of media. First of all, there is no doubt that media create a form of reality that, although showing some degree of similarity to what is authentic, is not really identical with it. This statement seems to be obvious and media are not an exception in this regard, because the result of all cognitive processes is a certain image of reality, which in many respects deviates from the "objective" and "real" existence. That is why if we expect from media to assume that truth is the most fundamental value, then one cannot really form any accusations in the event that the presentation of reality by media differs from the image of one's own experience.

It should also be noted that the "truth" in relation to social life is not the same as "truth" in the philosophical sense, that is in the sense of the conformity of thought with reality. The theories of truth in this second sense are based on the assumption that there is an objective and independent form of truth that an observer can cognitively recognise, yet this cognitive definition cannot affect the reality itself. In case of the "social reality" however, the issue under consideration is different. Every attempt to examine and describe this reality is at the same time an interference, with the researcher becoming part of the world being described. "Empirical research in sociology", as Stanisław Ossowski asserted, "especially when dealing with individuals involved in social life, is at the same time a social activity: it reveals some issues; it opens one's eyes to multiple possibilities where the observer failed to look; it points to certain matters as a result of merely being in the research questionnaire; it finally shows some scales of values posing the need to choose"[14]. From this point of view, the prescription of impartiality, objectivity and non-involvement in the presented events can be seen as utopian. In the long run, media become one of the participants in social life, whether they want it or not. This constitutes an important argument for placing in the codes of ethics certain principles related to the social mission of media.

The principle of truth has thus two meanings in the context of media. Firstly, it refers to individual information that should be true, i.e. it should lack the inten-

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14   S. Ossowski, *Wzory nauk przyrodniczych w empirycznej socjologii*, Warszawa 1967, p. 256.

tion to mislead the recipient about certain events, while secondly, it forms a certain ethical ideal that media should strive for. Although there are examples where truth in its first sense is defied, that is simply when false information (intentional or not)[15] is posted, however, more serious consequences appear to stem when media tend to corrode the very overriding ideal of truth. This is seen when the image of reality presented in media is not only different in some more or less essential detail from the reality itself, but when it entirely fails to conform the veracity of a situation, being totally detached and unconnected. In addition, while the transmission of individual, false information is counteracted with common and unambiguous criticism, the inconsistency of the media world with the non-media reality does not seem to arouse opposition and is treated rather as an element of the functioning of modern media as such, which we cannot in fact offset. This view is confirmed by the philosophy of postmodernism, which eliminates the category of truth from the philosophical discourse as well as from the whole of culture (and so also from media).

The creators of ethical codes rely here on the definition of truth in its first sense. Most of the codes in this regard do actually speak directly about the objectivity and impartiality when reporting events, and some of them even point out that not only facts, but also opinions should be reported in an "objective way". For example, the *Agora Charter* states: "(…) 3- One should refer objectively to the various points of view. 4- One should present also the views with which one might disagree not only in the form of reporting, but also as documents, interviews and articles. These must be views that are relevant or promoted by meaningful groups or people (…)". Also, the *Ethics Charter of Media* states that "the author shall (...) reliably report on different points of view (the principle of objectivity)." An exception here is the *Paris Declaration*, i.e. the *International Code of Professional Ethics in Journalism*, which recognizes as a moral obligation "the journalist's pursuit of knowledge of the objective reality in order to convey its most faithful image to the public"[16].

Frequently, the limited amount of space and time in media makes it necessary to select content, especially information. This selection should be based on specific criteria and the superior criterion here should be naturally the good of the recipient. This is contrary to the ever-present preference for sensational information relating to acts of aggression and violence, or the presentation of shallow and primitive entertainment content at the expense of more ambitious material which might run the risk of reducing the number of recipients. Of a similar character is the principle that bans mixing of information and entertainment (the so-called *infotainment*).

The impact of media on the recipient seems to be, at least in some part, more of a matter of interpretation than a matter of facts. According to the results of some

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15 Z. Sarelo lists such basic threats to media truth (in the first sense): deliberate lies, false information with no bad intention, distortion of information, deformation of content and questioning by contemporary philosophy the truth, which do affect the reflection on media ethics. Copare with Z. Sareło, *Media w służbie osoby*... p. 42.

16 *International Principles of Professional Ethics in Journalism*, in: K. Nordenstreng, E.G. Manet, W. Kleinwächter, *New International and Communication Order*, Prague 1986, p. 371 *et seq.*

study, whereby respondents provided information corresponding to the latest media reports, one might indicate that media do not decide what people think, but they decide what they think about[17]. This "decision-making" can only take place if media select information according to their own needs which might be contrary to the general expectations of the recipients. The principle of adequate selection of information is that media do not create reality but they report it. Thus, it is not media that should be the cause of what people think but rather what really happens around.

The truth is, therefore, a certain ideal to be pursued, but at the same time it is a moral requirement (obviously binding not only in media), from which certain obligations arise. As Skarga observes, "in spite of the criticism of the truth itself, including the very questioning of its meaning and sense, the desire of truth does not cease"[18]. What also does not cease here is the awareness that, although this truth is given only in its crumbs, to put an end to the search of it would inevitably and simultaneously bring an end to the thinking as well as a full degradation of the culture. To abolish the postulate of the pursuit of truth, and thus to allow for a conscious distortion of the message, would degrade both the recipient and the sender. The recipient is deprived of a certain portion of knowledge about the world, whereas the sender, as Z. Sareło puts it, becomes a "metaphysical lie"[19] (since humans are called upon to live in the truth). Also, broken is a special bond between the sender and the receiver, the external expression of which is the recipient's trust.

Another category of rules, without which no code of media ethics can be circumvented, constitutes the norms that protect media freedoms. While sometimes the principle of freedom (independence) of media is considered subordinate to the principle of truth (because any lack of media independence is often the cause of manipulation and therefore lies), such a position does not appear to be fully justified, because there is no simple relationship between media dependence (e.g. on a dictatorship) and the very breaking of the rule of law.

The attempts to limit the freedom of media[20] have been in existence for as long as the press exists, and so it seems that this fact should simply be reconciled with and also taken into account in any ethical considerations. The inability to eliminate these threats and to guarantee media freedom makes it one of the most important moral imperatives to demonstrate robust opposition to any attempts to limit media freedoms. This order does not apply only to the journalists, but also to the public which, when making important decisions, have not only the right but also the duty to be well-informed[21].

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17 The research was conducted by an American Institute of Public Opinion Research - Gallup. Compare with M. McCombs, *The Agenda-Setting Role of the Mass Media in the Shaping of Public Opinion*. Texas at Austin. http://sticerd.lse.ac.uk/dps/extra/McCombs.pdf
18 B. Skarga, *Teologia negatywna a człowiek*, „Kwartalnik Filozoficzny" 1984, v. 4, p. 7
19 Compare with Z. Sareło, *Media w służbie...*, p. 44.
20 C. J. Bertrand lists five factors limiting media freedom: technical, political, economic, ideological (media conservatism) and cultural factors. Compare with C. J. Bertrand, *Deontologia mediów...*, p. 20.
21 An example of a civic opposition may be a huge demonstration as in Prague in 2001 against the attempts of the then Czech government to subjugate electronic public media. The Czech public television staff continued to go on strike. Similar demonstrations took place some

One of the forms of concern for preserving and strengthening media freedoms are relevant provisions in the appropriate ethical codes. These records can be broken down into several categories according to the type of threat they relate to. One of the tasks of media is to control the state authority between elections (in the election period, however, this role is changing). Thus, the first group of rules here is made of norms regulating the relations of media with the politicians (e.g. forbidding journalists to join political parties, maintain social contacts with the politicians or take part in election campaigns, etc.).

The next group are the norms that relate to the relationship with the business world. They prohibit the journalists from participating in advertising, accepting costly gifts (i.e. *de facto* corruption), using information gained through their media work for personal gain (this is especially pertinent to journalists dealing with the stock markets), etc. Some ethical codes prohibit not only the crypto-advertising but also any activities that could trigger the mere suspicion of it. An example here is the BBC Code of Conduct: "The BBC programmes cannot give the impression that they promote or represent certain product, service or company". If this principle is applied to all media, then some ethical conflicts might arise with relation to, among others, some incomprehensible coincidences whereby unconnected media suddenly start to inform about the advantages of the same product or service (e.g. investment funds) and then they suddenly cease to distribute this information.

Paradoxically, one of the major threats to media freedoms constitutes the very media themselves, and this is on account of various mechanisms and dependencies of the media structures with their external environment as well as the tendency of some individuals to regard their personal interests over the interests of their own institutions. These internal threats are also pointed out by the authors of some of the ethical codes. The need to protect the freedom from internal pressures was emphasized, among others, by the Resolution 1003 of the Parliamentary Assembly of the Council of Europe from 1 July 1993, whereby the authors indicated the need for a close cooperation between journalists and publishers, based on respecting each other's worldviews, which however cannot be used as a justification for breaking the principle of truth when presenting facts and opinions[22].

In order to safeguard the independence of media, a number of specific norms exist that prohibit media professionals from combining media work with other types of activity. Many codes, for example, prohibit television journalists and presenters from appearing in advertisements, participating in promotions, business meetings, appearing in the role of announcers, etc. These injunctions are usually justified by the concern for the credibility of those involved who are undeservedly believed in by the public. Another reason is the fear of treating the work in media as a kind of leapfrog that would allow the journalists to gain popularity and use it to earn far more money than media can ever afford to offer.

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years earlier in Slovakia. Compare with P. Skowera, *Upolitycznienie mediów w Czecha i na Słowacji*, in: *Media masowe w demokratyzujących się systemach politycznych...*, pp. 124, 129.
22   Compare with W. Pisarek, *Kodeksy etyki dziennikarskiej...*, p. 429.

Some codes also prohibit journalists from maintaining personal connections with the politicians, what also does not promote impartiality. A related issue that needs further clarification is the involvement of well-known journalists or presenters in political activities. The postulate of separation of political activity from one's media work does not seem sufficient[23], as it is not known what form such a separation could in fact take. The only reasonable solution here seems to be an ethical ban on engaging in any political activity, which could also apply for some time after the cessation of work in media (otherwise, a journalist might be accused of working in media while secretly favouring certain political options).

There is a claim that free media is the foundation of democracy. But what exactly is media freedom then? Freedom means to have a choice, and therefore diversity as well as media pluralism. In the contemporary world, also in Poland, there are many media entities, yet this does not translate into media pluralism. The vast majority of information provided in media is the same, as is its very format. There are grounds, therefore, to suspect the existence of certain hidden and possibly unknown factors limiting the freedom of selection of both the content and the form of message. As a principle, defending media pluralism is the right of every editor that he or she owns to one's own programme line. This rule is legally guaranteed, but it should also be included in the codes of ethics.

Another category included in the codes of ethical norms are rules protecting the good of individuals. These policies prohibit the publication of any content that could harm such private persons (in any sense), businesses, institutions, social minorities, etc., unless there are reasons justifying the publication of such content. The only circumstance that abolishes the principle of non-harm is when the publication might prevent potential damage caused by the subject of the content in question. In other words, unless there is a concern that the subject of the publication has broken the law, jeopardized the common good or has simply repudiated morally, media are obliged to observe the principle of non-harm.

This principle has two meanings, depending on the subject to which it is referred. In the first place, it concerns people about whom media are reporting. But the principle of non-harm can be also applied with reference to recipients who, in particular situations, should be protected against certain content. Consequently, any content that may have a detrimental effect on such an individual is in contradiction to this principle, hence the mere probability of any such effect is sufficient here and there is no need for absolute, scientifically-based assurance of harm. An example could include violence in children programmes.

Media content should serve a specific purpose (i.e. personal and social development). This means that one should not publish any materials that do not serve this purpose, especially if there is some likelihood that they may harm someone. Such content includes the photographs of victims of road accidents and their families. In recent years, media have frequently published pictures of such victims and their relatives, particularly immediately after they learned of the death of their

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23 "Journalists, in their professional duties, separate their own political and social activities". Compare with C. J. Bertrand, *Deontologia mediów…*, p. 161.

loved ones. Such publications serve only to satisfy the mundane curiosity of the audience, who are treated here as bystanders looking at the effects of someone else's misfortune. Such behaviour and conduct appears to contradict both the principles of media ethics and the principles of any ethics whatsoever.

In the chapter on media freedom, it was discussed that the principle of respect for privacy is limited in relation to those in public service. It is worth pointing out, however, that the scope of this principle extends to public persons to the same extent as to those who are not public officials, though in their case, because of the influence they exert on the well-being of a given community, breaking of this rule in the name of the public interest is allowed, if not required. In other words, the very basic conflict related to this group of norms is the conflict between the good of the individual versus the good of the whole.

This conflict is not an occasional phenomenon, but it emerges at the very basis of the functioning of media, forcing to make constant evaluations and choices. For example, one of the most frequently discussed issues here is the moral right of a journalist to use eavesdropping or a hidden camera. In the ethical codes, it is generally accepted that the degree of violation of the principle of privacy and openness depends on the methods used: for example, the installation of eavesdropping in a public place is one thing and another is recording of corruption proposals taking place in the government office.

The range of protection that media ethical codes provide is obviously different. For example, in the Rules of Ethics of Journalism in TVP, we read: "it is unacceptable to use morally reprehensible methods, such as misrepresentation, impersonating others, hiding the actual character of the recorded conversation, harassing or intimidating"[24]. However, the code does allow for some exceptions to these rules in cases of tracking offenses, fraud and the abuse of power, which in practice means that they do not apply in the so-called investigative journalism, and so in situations where ethical standards are easily and often violated by journalists.

Ethical discussions also mention about the so-called social responsibility of media. This responsibility is said to result from the fact that media business is possible through a certain "credit of trust" granted by the public, which is a form of commitment on the part of media. This concept of trust here connotes the agreement of the society that a certain group of people is given the ability to acquire and transmit information on a mass scale. From this point of view, even commercial media do not constitute an ordinary business, but a form of endeavour commissioned by the public and acting on its behalf.

What I mean by the concept of responsibility in this work is the conviction that by virtue of having influence on other persons (regardless of the real existence of this influence and its scope, what in the case of media is always a matter of discussion), some obligations must be fulfilled. But this concept should also include

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24 However, the Code does not specify what is meant by "harassment", it is only possible to speculate that it is a harassment of the caller with continuous requests for information.

one's readiness to repair any possible damage caused by this very impact[25]. These two meanings must be distinguished from each other, because the first one concerns only the principles of correcting, publishing apologies, etc., while the other is related to the concept of media mission.

It is impossible to resist the impression that the question of the social mission of media is now one of the most widely discussed matters of media ethics in general. Media workers have divided themselves into two opposite camps, with some of them claiming that the ethical obligations of media are exhausted by respecting basic ethical principles (truth, freedom, non-harm, etc.), and others expecting more than this ethical minimum. To the second group belonged, among others, Jan Nowak Jeziorański (a long-time radio journalist), who defined social media responsibility as follows: "In my opinion, the mission of journalists should now be the civic education of the public so that it understands what its own state is"[26]. Ryszard Kapuściński has expressed a similar opinion: "It is necessary to educate a civil society, i.e. one that knows how and wants to respond"[27].

As one can easily discern, most of the codes of ethics explicitly refer only to the liability in the first sense, defining the rule of "correcting" any damage arising from the publication of false information, slanders, injurious assessments, etc. This is not only because such accountability is obvious and it can easily be expressed in the form of normative sentences, but also because of the respect for the principle of media impartiality. This rule states that media should remain merely observers of certain events without getting engaged and transforming themselves into co-contributors. In addition, some codes impose on media obligations to address current social problems. As J. C. Bertrand observes, in some countries the codes require media to combat xenophobia or racism, and they also ask media to present a positive image of national minorities residing in a given country[28].

Meanwhile, from a more global perspective, media do not constitute a world isolated from the rest of reality, but they considerably contribute to such reality in addition to being one of its main elements. At this higher level, the principle of impartiality ceases to exist, since the distinction between the subject (media) and the object (presented events) disappears as well. The accountability of media as regards the society can therefore be analysed from macro- or micro- perspective. As far as the macroscale is concerned, it is the duty of media, at least in countries undergoing systemic political transformation, to support democracy through the critique of specific abuses and abnormalities. Contrary to most authors' opinions, this obligation does not necessarily have to follow from the principle of media's social mission, because if the functioning of free media depends on the quality of

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25 According to Roman Ingarden's typology, we can speak of responsibility in four different situations: 1. Someone is responsible for something; 2. Someone voluntarily assumes responsibility; 3. Someone is held responsible by someone else; 4. Someone deeds responsibly. R. Ingarden, *Książeczka o człowieku*, Kraków 1973, p. 78. The media responsibility in the sense of the present work is therefore equivalent to category 2 and 4 above.

26 *Sztuka wychowania obywateli* (the public speech of Jan Nowak Jeziorański from 14.11.2001), „Rzeczpospolita", 16.11.2001.

27 K. Janowska, P. Mucharski, *Zawód dziennikarz* (interview with Ryszard Kapuściński), in: *Reuqiem dla dziennikarza*, „Magazyn Kulturalny Tygodnika Powszechnego", 3.06.2001.

28 Compare with J. C. Bertrand, *Deontolgoia mediów...*, p. 82.

democracy, then the promotion of democratization process is also in the egoist interests of media themselves. As S. Mocek writes, media's duty is to "inform and comment on the reality in an honest way, but on the other hand, to respect basic values and democratic principles, and to respond conscientiously to various violations of these principles"[29]. The term "responsible response" should be understood as involving ethical response, yet it does not always have to be consistent with the applicable law[30].

Contrary to what it seems, the rules of behaviour in a microscale bring about much more doubt. This is because at the level of specific issues and problems media must take decisions about facts rather than general principles. Hence, many ethical codes consist of specific norms (e.g. standards that define the acceptable limits for the so-called journalistic provocation).

The basic condition of moral responsibility is the conscious intention of action. It seems that moral responsibility should not be borne by someone who, being merely a "cog" in an immerse media machine, is unaware of the very substance of media message. The development of social communication techniques has led to the blurring of responsibility of the participants in this form of communication. "Contemporary techniques of communication, writes Z. Sareło, are so complicated that in any given field of practice many of those engaged in broadcasting do not even have such knowledge"[31]. According to the author, however, sufficient knowledge of the mechanisms of media activity is sufficient to recognize the complicity here.

The social responsibility of media is not the same as the liability of individual media workers and cannot be reduced to form the "sum" of such individual liabilities. It is, therefore, justified to differentiate between general media liability and the liability of individual media professionals. The latter are responsible to at least a few entities: other media professionals, their information sources, the entertainers, advertisers and also politicians (e.g. during election campaigns), but also to their very audiences. It is a natural phenomenon that from time to time these different types of liability come together in conflict.

One of the important issues related to the social responsibility of media is the fact that they are not only a sender, but also a channel for the transmission of content by other senders. A classic example of such a situation are political campaigns and, of course, advertising spots. Media may at the very least refuse to broadcast such material in the event of a particularly serious violation of ethics or good morals, but they have no right to interfere with the content.

It should also be noted that the principle of building civil society may fall into contradiction with the principle of independence. Catholic media editorial offices are certainly not independent in this sense, which does not mean that they do

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29 S. Mocek, *Dziennikarze po komunizmie...*, p. 39.
30 The law prohibits, for example, the installation of eavesdropping in public places, but sometimes it may happen that the information gained through this method will help to prevent even greater evil. We are dealing with morally wrong, but justified act.
31 Z. Sareło, *Media w służbie osoby. Etyka społecznego komunikowania*, Toruń 2002, p. 84.

not contribute to social changes. "From the perspective of years passed", writes K. Pokorna-Ignatowicz, "there is no denying about the merit of the claim that the Catholic Church and the Catholic media did contribute to the process of passing away from the real socialism of the Polish People's Republic and towards the building of social support for the emerging democratic Third Republic"[32].

It seems that each code of ethics should include standards belonging to the four categories above (truth, freedom, good of the individual, social responsibility). Yet, this is not the only "universal" precondition. The code of media ethics should also be expected to apply equally to all hierarchical levels of individual media organizations. In other words, what this means is that the freedom of expression, for example, should not only apply to the higher levels of the organization, including the owners, but that it should also apply to the lowest levels. In Poland, unfortunately, we are faced with a situation where the freedom of media is limited to the very heads of editorial offices, while the "ordinary" employees, including journalists, are forced to execute orders strictly. This dependence of journalists on media owners is also supported by the formal way of employing journalists – on the basis of civil law contracts, which in practice do not give journalists any labour rights. Any refusal to execute a command often involves the loss of income source. As noted by T. Kononiuk, this easily resembles the situation of journalists in the Polish People's Republic[33].

Naturally, this does not mean that there are no ethical principles that apply to particular occupational groups. Different ethical principles refer to journalists, different to their employers (owners, publishers, editors, etc.), and different to entertainers or those in charge of dealing with the advertisers, etc. The enumeration of all these detailed rules would be overwhelming and most of them are the subject of reflection of relevant professional ethics.

An important issue from the perspective of media ethics are conflicts between these "partial" principles. The general norms that regulate the relationships between particular groups or posts in individual media entities depend, of course, on the goals that are pertinent for one particular occupational group or another (of course, these rules cannot conflict with any of the four overriding principles mentioned above, i.e. the principle of truth, freedom, good of individuals and good of the community). In various publications devoted to the conduct and practice of media, it is often emphasized that the employer (e.g. an editor-in-chief) is dependent on the owner, who in turn remains dependent on the advertisers. However, it should not be inferred from the existence of these dependencies that the purpose of editors-in-chief should be the owners' good, while the purpose of the owners - to meet the needs of the advertisers. If media are to act in a manner consistent with the ethical principles and expectations of their audiences, then these partial goals should be formulated in a different way. And so, the employer's goal should not be the good of the owner, but the good of the journalist - understood as the ability to act in accordance with the requirements of journalistic ethics.

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32 K. Pokorna-Ignatowicz, *Media katolickie w III RP i ich wkład w budowę polskiej demokracji*, in: *Media a demokracja*, as edited by L. Pokrzycka i W. Micha, Lublin 2007, p. 130.
33 Compare with *Media w służbie społeczeństwu...*

The editorial office, therefore, should have no right to force a journalist to conceal certain information or to overemphasize other. This principle continues to apply even when the interests of a given medium seem to be at stake, and therefore the interests of the owner, not to mention the interests of the main advertisers.

Moreover, one can also find certain ethical codes which in addition to strict ethical principles contain also specific formulations where ethical relevance is at least debatable, and which, with a certain amount of ill will, can be interpreted as a justification for violating moral norms. An example here could be some of *Agora Charter's* records. In its Chapter II we read, among other things, that the aim of *Gazeta Wyborcza* and its main proprietor is to be "the best and the largest daily in Poland, where all other aspirations and types of responsibility are secondary to these goals"[34].

It is also possible to identify some rules that are not contained in the ethical codes but their effect would certainly contribute to raising the overall level of media coverage. One of such principles is the principle of self-criticism. It refers to media as such and does not mean that every single media entity is obliged to criticise its own activities. It is unacceptable, however, to suppress information about abuses committed in other media, especially if they concern widespread activities. An example of a situation in line with this principle was the conduct of media in Lithuania, which after the parliamentary elections revealed that almost all political parties had paid for publishing favourable articles about them in the press[35]. The application of this principle seems to be the only way to counteract some pathologies of the modern media, such as corruption. Obviously, these conducts do not apply equally to all media (media dealing with motoring, fashion, tourism, etc. seem to be smeared by corruption more than the general-information media). Any change of the attitude of media to these pathologies would certainly make it much easier to put an end to such behaviours.

The ethical codes do not generally include rules that apply also outside of the media, such as the principle of honesty, respect for property, etc. Because of the fact that these basic principles appear to be too general in nature to be included in the code of ethics of media, one should not assume that they do not apply to media at all. On the contrary, their adherence is, as in almost all areas of life, very crucial in media. It is therefore very important to realize how these principles should be understood in relation to media. It is also worth noting that some of the ethical norms adopted in the codes form only a different, and fitting to a particular situation, reformulation of these general, universal principles.

The Journalistic Code of Conduct, consisting exclusively of such general indications, was prepared by the Polish Media Conference. This Code consists of the following seven principles: the principle of truth, the principle of objectivity, the principle of separation of comments from information, the principle of honesty,

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34 The overriding, commercial goal of *Gazeta Wyborcza* can be compared by analogy to the BBC Code of Ethics: "Our goal is to be the most creative and credible broadcaster and programmer in the quest for fulfilment of needs of all auditors by providing the information, education and entertainment service (…)".

35 Compare with J. C. Bertrand, *Deontolgoia mediów…*, p. 82.

the principle of respect and tolerance, the principle of priority of the good of a recipient and the principle of freedom and responsibility. However, from these seven rules at least three seem to be so general that they could successfully fit into any professional code. The principle of telling truth pervades always and everywhere, just like the principles of honesty, freedom and responsibility, hence it makes no sense to place them in a code addressed to a particular professional group. As for the principle of objectivity, this principle should be found in the code of ethics for journalists, because a large part of the content presented in media is subjected neither to subjective, nor objective assessment. The principle of objectivity thus turns out to be too narrow to be included in the code of media ethics. The same can be said about the principle of separation of information from comments. Out of all the norms of the code, only two (the principle of respect and tolerance as well as the principle of priority of the good of a recipient) seem to refer to media as such.

The view that the ethical code of media should be a compilation of the code of ethics of journalists, the code of the entertainment industry (only if one can conceive such) and, possibly, the code of advertisers cannot be upheld. If media consisted solely of information, entertainment and advertising, then such a compilation would be sufficient. But as I have mentioned, media have a number of completely separate goals that do not have to be identical to those of journalists or creators of a broadly understood entertainment (including valuable literature, film, music, etc.), not least to those of advertisers.

The interpretation of specific provisions of ethical codes can sometimes be contradictory depending on which principle is given the priority. For example, some media may choose to show victims of traffic accidents, arguing that they want to shake the recipient and make them more cautious, whereas the others might find that displaying drastic material is primarily used for making the message more attractive, and is thus unethical. This ambivalence, while on the one hand makes it difficult to make ethical decisions, on the other facilitates the circumvention of such imperatives, since breaking one norm can be always justified by the will to respect another. This means that, in addition to the codes applicable to all media, individual media should seek to create their own internal codes that limit the interpretative freedom according to the "ethical line" adopted by particular media houses. It is important to allow the public to have access to these internal codes, as this would give the recipient the opportunity to easily assess the ethical attitudes of individual media.

The formulation of universally accepted codes of ethics in media is important not only for media professionals, but also for those who are forced to interact with media, including politicians and advertisers. The impression is that a significant part of various violations of ethical principles stems not so much from the ill will as from the ignorance and misconception of the substance of the issue in question. The existence of a consolidated and shared by media personnel code of ethics could also provide a greater degree of prestige and recognition both on the part of the entities concerned and the recipients.

As Krzysztof Koseła noted, any profession for which the creation of certain ethical codes is discussed is likely crippled by a crisis. On the other hand, however, it can be said that any profession that somehow influences people is in a form of constant crisis, and the state of abnormality arises when those undertaking a profession do not attempt to oppose any kinds of abuses that might be characteristic of it. To treat media codes of ethics as a necessary evil so that to satisfy some of the audience's claims seems to indicate a genuine crisis, a crisis much deeper than the one where some moral objectives are failed by the journalists.

One can imagine certain ethical pattern of media: ideal television, perfect journal, magazine, radio programme, etc., and then consider how different media organizations are approaching that pattern[36]. What follows from this consideration is that, at least in Poland, no single media entity does actually satisfy this pattern, with the majority, including public television, being quite far away from it. Contrary to appearances, however, this conclusion does not mean that the recipients of the Polish media face a total lack of respect for ethical standards. This pattern can also be used to determine in which concrete areas individual media do meet ethical standards, and in which they do not. In this way, one can build a specific "virtual medium", resembling the above-mentioned pattern and consisting of selected elements of media reality.

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36 This pattern would resemble an "ideal type" in Max Weber's philosophy. Compare with M. Weber, *The Methodology of the Social Science*, New York 1949, p. 93