

The Ethical Fundamentals of the Responsibility of the Journalist

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Abstract: *The present text intends to analyze the ethical fundamentals of journalistic responsibility. The initiating premise is the necessity to know the ethical and philosophical aspects that generate explanations for professional ethics. The present approach starts from the idea that journalists need to acquire the necessary ethical expertise in order to understand the ethical structures that are the basis for defining the deontology of the media communicator, of ethical responsibility, and also for understanding the relation between the ethical and the juridical, between liberty and responsibility, between the control of personal actions and external manipulation – all in order to be able to make ethical decisions and to solve ethical dilemmas. These can contribute to a better understanding of the ethical responsibility of the journalist.*

Keywords: *ethical fundamentals, journalistic responsibility, media communicator*

It is a fact that more and more media professionals are interested in the deontological problems that their profession is confronted with and this explains the need for the reference to ethics and the study of ethics.¹ From the standpoint of applied media

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ethics, “the study of ethics represents the study of one’s commitment to consciousness – the study of the individual and collective moral autonomy, of the responsible use of freedom”². According to the Journalist’s Code of Ethics, “the journalist has the civic responsibility to act in order to establish the rule of law and of social justice”³. The present study tries to elaborate on the references to the term ‘responsibility of the journalist’, on the ethical fundamentals that ground the responsibility of the journalist, on the way in which the ethics of responsibility and juridical responsibility function as complementary elements in the activity of media professionals. There is no intention to use case studies in the present approach but rather to underline some theoretical aspects meant to initiate debate on some characteristics of journalistic practice and on how some of the ethical dilemmas of media professionals can be solved.

The concept of responsibility and the responsibility of the journalist

Theoreticians consider that responsibility is an open concept. It has multiple facets and it involves a wide range of ethical debates. Roger A. Shiner proposes one of the types of approach regarding responsibility, i.e. he views responsibility as a relational structure that connects a person to his actions and is the necessary and sometimes the sufficient element meant to enable the adequate evaluation of that person. Thus, responsibility is a category of interpretation, evaluation and prescription of action modalities. According to Roger A. Shiner, as a relational structure, responsibility entails four specific dimensions⁴:

1) *Causal Responsibility*: it implies events that do not presuppose conscious, deliberate involvement but are rather under the influence of some external forces that most often cannot be controlled and have nothing to do with the individual’s involvement. To understand this dimension of responsibility, Shiner gives the example of the action of natural phenomena which are believed not to imply the action of any conscience but rather to involve the causal chain of events that are in between determinism and chance. If this dimension of responsibility or rather this exemption from responsibility is to be applied to the case of journalistic activity, the result is that the journalist has the responsibility not to cause any prejudice to the others through his activity and the results of his work. Nevertheless, if the prejudiced person establishes a causal chain between the activity of a journalist and the negative consequences to be found at the end of the causal chain, the journalist is to be found responsible for that prejudice only if one can demonstrate that the prejudice is the result that the journalist consciously and deliberately wanted to achieve.

2 Frank Deaver, *Etica în mass media*, (București: Silex, 2004), 49.

3 The Journalist’s Code of Ethics adopted by the Romanian Press Club, Article 7.

4 Roger A. Shiner, „Responsibility”, in Robert Audi (general editor), *The Cambridge Dictionary of Philosophy*, second edition, (Cambridge: Cambridge University Press, 1999), 974.

2) *Liability responsibility*: this refers to the individual who is responsible for his acts. Being responsible for something means that the individual is aware of his situation and of the possible consequences of his actions, being endowed with intentionality. The individual who performs actions that he is responsible for is usually aware of them and has the explicit intention of orienting the action in that direction, making sure that all conditions are met in order to make the phenomenon happen. Therefore, reward or punishment is the result of the effects of the individual's intentional actions. By vocation, the journalist is expected to assume this dimension of responsibility.

3) *Capacity responsibility*: it refers to the fact that the individual has the full mental and intellectual capacity to be made responsible, and reward or punishment is given only if such capacity is proven to exist. Such a dimension is implicit and it is not the subject of theoretical debates as regards the journalist. However, it can become an interesting subject from the point of view of the journalist who wants to ask some questions about his sources, the debated themes, the conclusions reached. All these transform the work of a journalist into an activity of evaluation in which the idea of *Capacity responsibility* finds its place as an activity of ethical expertise.

4) *Role responsibility*: it starts from the presumption that an individual can be identified with some social roles and all the expectations regarding him have to be associated with the roles that that individual assumed. Thus, responsible behavior is associated with the idea of performing the duties that derive from assuming a specific social role⁵. Applied to the domain of journalism, it is obvious that the role that the journalist plays is the one derived from his professional status, and his responsibility derives from the standards required by their own profession. Even if there is some tendency of the democratic societies to impose minimum juridical regulation regarding journalistic activity, one cannot ignore the parallel tendency to make the journalist feel ethically responsible as a member of an ethical professional community.

Journalistic responsibility between the ethical and the juridical

The types of responsibilities described above are generated by the philosophers' concern for personal moral responsibility. There are some philosophers who believe that discussions about the problem of juridical responsibility are paradigmatic for the resolving of any problems regarding responsibility. Moreover, individual responsibility is considered to be a necessary premise for the administration of justice. Yet, despite the very good idea that the theory of law can offer a series of fundamentals for a good theory of moral responsibility, there is a tendency to consider that moral responsibility is about a theory about reward and punishment, even if such a perspective can be

5 Roger A. Shiner, „Responsibility”, in Robert Audi (general editor), *The Cambridge Dictionary of Philosophy*, second edition, (Cambridge: Cambridge University Press, 1999), 974.

deduced from the widely accepted statement that people are morally responsible for their actions⁶.

Another possible way of talking about the content of responsibility is to relate it to law and juridical responsibility. Actually, there is the tendency to identify responsibility with juridical responsibility. Maintaining responsibility inside but also outside the juridical sphere is necessary in order to reveal that responsibility implies a type of ethical commitment that does not necessarily derive from legal statements. For instance, the ethical dimension of responsibility is evident in the fact that assuming journalist responsibility is a voluntary act, which means that this is responsible commitment that goes beyond what the journalist has to accept as juridical obligation.

J. Michael Martinez and William D. Richardson advance the idea of relating the ethical system to the legal one starting from the distinction between public and private. In this respect, law is conceived as being part of the governing process aimed at establishing the “right conduct” for all the citizens. The western juridical system introduces the eligible standard of behavior that the coercive power of the public institutions that establish rewards and punishment depend on. Law provides the framework for the development of public transactions, and it states what is acceptable in terms of behavioral norms, of what is reprobable, thus giving room for reward or punishment. Law is based on a balanced relation between general statements that encompass a certain degree of abstraction and the concrete elements seen as rules of behavior⁷. Martinez and Richardson consider that there are some types of behavior that cannot be included in any juridical categories.⁸ It is in human nature to ignore some correct forms of public behavior when they act in a private sphere. The problems that are part of the individual’s private system of values or that view individual involvement are seen as belonging to an ethical system that regulates private life, based on some principles that can or cannot be associated with rules derived from the juridical system. Therefore, there is evident interference of the ethical with the juridical, of moral responsibility with juridical responsibility, and of behavioral rules with life principles. According to this perspective, J. Michael Martinez and William D. Richardson consider that determining the responsible character of an action does not only mean applying and explaining a set of rules, but also identifying the components

6 Arnold S. Kaufman, „Responsibility, Moral and Legal”, in Paul Edwards (Editor in Chief), *The Encyclopedia of Philosophy*, volume seven, (New York: Macmillan Publishing Co., 1967), 183-188.

7 J. Michael Martinez, William D. Richardson, *Administrative Ethics in the Twenty-first Century*, New York: Peter Lang, 2008, pp. 15-16.

8 J. Michael Martinez, William D. Richardson, *Administrative Ethics in the Twenty-first Century*, New York: Peter Lang, 2008, pp. 260.

that the identification of responsible actions depends on.⁹ On this basis, they advance a ranking of the fundamentals of decision making: if provisions are clear, the law must be applied; if the law is not clear, the mission and the norms of the organization must be taken into account, and when these are not clear enough, the values of the one that is to make the ethical decision must be considered.¹⁰ The specificity of journalistic activity implies that the journalist must find himself in his personal values but also as a representative of public opinion. Thus, his status involves the interference between public and private, moral and legal, ethical responsibility and juridical responsibility.

From the perspective of the responsibilities of the journalist, such reflections are important because they clarify the distinction between the juridical sense of responsibility and its ethical or moral meaning. Martha Klein invites the reader to see the difference between the ethical and the juridical in her description of moral responsibility in terms of accomplishment of moral obligations. From this point of view, being responsible means to meet the criteria for reward or punishment that follow a morally significant act.¹¹ Consequently, the framework is to be governed by principles and significations. Moreover, she considers that being responsible from a legal point of view involves either the existence of some offence (which may or may not be linked with the imperative of meeting legal obligations) or the existence of some legal obligation together with the idea of being responsible before the law.¹²

Similarly, Jonathan Glover emphasizes that in a juridical context, to state that somebody is responsible for an action means that he acted knowingly, with assumed liberty, as a person that is supposed to be in control of what he does and, therefore, as responsible for the legal consequences of his actions. Thus, to say that somebody is morally responsible for an action may mean that he can be legitimately rewarded or blamed, depending on the ending and the effects of that specific action.¹³ From the standpoint of mass-media ethics, what is relevant in this discussion is the principle according to which, in moral and juridical theory, "somebody is responsible for doing bad things only if he is directly involved through an intentional act or through negligence".¹⁴ This involvement is established and sanctioned by the court if it relates

9 Michael Martinez, William D. Richardson, *Administrative Ethics in the Twenty-first Century*, New York: Peter Lang, 2008, p. 152.

10 J. Michael Martinez, William D. Richardson, *Administrative Ethics in the Twenty-first Century*, New York: Peter Lang, 2008, pp . 154.

11 Martha Klein, „Responsibility”, in Ted Honderich, *The Oxford Companion to Philosophy*, second editon, (Oxford: Oxford University Press, 2005), 815-816.

12 Martha Klein, „Responsibility”, in Ted Honderich, *The Oxford Companion to Philosophy*, second editon, (Oxford: Oxford University Press, 2005), 815-816.

13 Jonathan Glover, *Responsibility*, (London: Routledge and Kegan Paul, 1970), 19.

14 Larry May, *Sharing Responsibility*, (Chicago and London: The University of Chicago Press, 1992), 38.

to breaking the law or by committees or councils of professional associations in case of ethical or deontological deviations. The increase of the importance of journalistic deontological codes is the result of professionalization. Ethical regulation cannot be separated from professionalization since the latter means: “the clear defining of a profession, a study or a professional training based on clear rules, the regulation of the field and, last but not least, the establishment of professional organizations, the development of professional ethics.”¹⁵

Daniel Warner adds further meaning to the relation ethical-juridical by analyzing the distinction between “ideal morality” and “social morality”. He explains that ideal morality is a type of ethics that claims a superior instance for fundamental reference. Transcendence moulds the individual in his interactions in life. Even if the words ‘ethical’ and ‘moral’ are usually used as equivalent terms, in Warner’s perspective, there is evident distinction between morality based on religion and morality understood as ethics, i.e. a type of morality that is to be founded without any reference to a transcendent instance. In Warner’s view, “social morality” is ethics, namely a moral that is based on human interaction and the norms that are established within these interactions in a specific social context. For a better understanding of “social morality”, i.e. of ethics, Warner considers the analysis of ethical responsibility from the perspective of using juridical methodology starting from the premise that responsibility is a major juridical concept and that juridical methodology brings into light new aspects that usually do not make the subject of discussions about responsibility in moral terms.¹⁶ However, besides the centrality of the juridical element, there is evident distinction between moral responsibility and juridical responsibility that cannot be ignored. Moreover, this difference does not come from different meanings but rather from the complementarity of two aspects linked by a single meaning.¹⁷

From the perspective of the analyses of mass-media ethics proposed by Frank Deaver, a generalizing statement would be that “the law is that ethics which becomes enforceable and that ethics that can be seen as potential law”.¹⁸ Having in view the journalists’ professional ethics, what is evident is that one of the characteristics of ethical codes is that they are not applied by the appeal to justice. The regulations of deontological codes are the subject of experts in ethics, of ethics committees, of professional associations. Such statements entail the idea that mass-media ethics regulates those aspects of media communication that are not specifically detailed in the legislation destined to say what is allowed and what is forbidden in the field of media

15 Delia Balaban, *Comunicare mediatică*, (București: Tritonic, 2009), 62.

16 Daniel Warner, *An Ethic of Responsibility in International Relations*, (Boulder nad London: Lynne Rienner Publishers, 1991), 4-5.

17 Daniel Warner, *An Ethic of Responsibility in International Relations*, (Boulder nad London: Lynne Rienner Publishers, 1991), 96.

18 Frank Deaver, *Etica în mass media*, (București: Silex, 2004), 50.

communication or of public communication in general. Mass-media ethics implies individual commitment which requires community or professional group membership. Thus, when stating that “mass-media ethics represents individual consideration of correct or wrong behavior in accomplishing professional duties... one has to trust those professionals that are engaged in making ethical justifiable decisions in every situation.”¹⁹

Liberty, ethical responsibility and journalists

A great deal of philosophers and theoreticians of responsibility consider it is important for the individual to take control of the action that he is made responsible for. Thus, R. A. Duff believes that being responsible means being in charge. He talks about two types of responsibility. Somebody can be responsible for what he did or did not do in the past just as for what he will do in order to make sure things will happen in a certain way. Responsibility is therefore retrospective or prospective depending on its orientation towards the past or the future. In both cases, an individual is considered responsible only if he is in control of the act he committed.²⁰ This defining of responsibility is illustrated by the example given by John Martin Fisher when he discusses about responsibility and freedom. When responsibility is involved, one must make sure that the responsible individual acts freely, presupposing that he has or had everything under control. Moreover, the individual should be in the situation in which people can related to him through specific human attitudes: acceptance or rejection, gratitude, respect, love, indignation, resentment etc. Furthermore, in the spirit of responsibility, he should be a person that people can appreciate, blame, punish or reward.²¹ In order to enlighten the nuanced meanings of the relation among determinism, liberty and responsibility, John Martin Fisher proposed the example of an experiment. He invites us to imagine that at a certain point, we discover that one of our friends is electronically manipulated by a team of researchers from a Californian institute. They implanted a sophisticated electronic device into his brain when he was young and this chip helps the researchers monitor his whole brain activity so that they know when he makes decisions regarding an action about something significant or about some ordinary thing. Also, the device can be used to induce some decisions so that to make him make the decisions that actually the researchers deliberated on and

19 Frank Deaver, *Etica în mass media*, (București: Silex, 2004), 164. On the functions of the ethical codes of media professionals, see Tudor Cățineanu, *Deontologia mass-media*, (București: Editura Universității din București, 2008), 183-190. Also, William L. Rivers, Cleve Mathews, *Ethics for the Media*, (Englewood Cliffs, New Jersey: Prentice Hall, 1988), 198-215.

20 R. A. Duff, „Responsibility”, in Edward Craig (general editor), *Routledge Encyclopedia of Philosophy*, (London and New York: Routledge, 1998), p. 290.

21 John Martin Fischer, „Responsibility and Freedom”, în John Martin Fischer (ed.), *Moral Responsibility*, (Ithaca and London: Cornell University Press, 1986), 13.

reached.²² John Martin Fisher explains that it is important to know that the researchers are behind all the decisions of our friend, and that their decisions come from their coherent thinking, which makes decisions predictable, and on the outside, our friend does not seem to be under any constraint. Nevertheless, the fact that we know that in daily situations but especially in delicate, important circumstances, our friend's attitude is not free is a consistent reason for us to be cautious when showing personal, human attitudes towards this friend. Fisher states that no one wants to have a friend whose decisions are made under the pressure of some exterior constraints, and that it is impossible to make friends with a person who is manipulated by an exterior force and is not in control of his decisions, especially of his ethical decisions. Life proves it is difficult to have normal relations with a person who does not act freely.²³ The conclusions that can be reached here as regards the ethics of the journalist connect to the idea that manipulation distorts inter-human relations, reality and the human condition. The quality of being human is strictly linked to the quality of being free. Nobody wants to interact with a person who is in no control of his decisions, who acts mechanically, like an automaton, because such a person is no longer responsible and can no longer establish human relations. An interesting analysis of ethics and mass-media legislation is provided by Miruna Runcan who considers that liberty and responsibility must be seen as competences that must be acquired: "to make sure that our acts are based on the profound motivation of freedom but also on the social motivation of our assumed responsibility, to ensure that our freedom is exercised in a performing way, it is necessary to understand that being free is not a natural gift but rather a competence gained after hard work, through education, personal experience, attempts, failures, successes, accomplishments, similar to all the essential steps of our individual destiny."²⁴

John Martin Fischer and Mark Ravizza advance a pattern of moral responsibility that implies a certain degree of control that people consider natural. It is part of the western understanding of worldview and human vision. The absence of our ability to control our actions is meant to make us abandon our worldview and all the types of human behavior that depend on it. Without this control, people should give a new meaning to their being in the world.²⁵ Consequently, being in control of our actions

22 John Martin Fischer, „Responsibility and Freedom”, în John Martin Fischer (ed.), *Moral Responsibility*, (Ithaca and London: Cornell University Press, 1986), 9.

23 John Martin Fischer, „Responsibility and Freedom”, în John Martin Fischer (ed.), *Moral Responsibility*, (Ithaca and London: Cornell University Press, 1986), 10.

24 Miruna Runcan, *A patra putere – legislație și etică pentru jurnaliști*, (Cluj-Napoca: Dacia, 2002), 83.

25 John Martin Fischer, Mark Ravizza, S. J., *Responsibility and control. A theory of Moral Responsibility*, (Cambridge: Cambridge University Press, 1998), 25. Two very suggestive examples for understanding the relation among necessity, liberty and responsibility to be found in Fernando Savater, *Etica pentru fiul meu Amador*, (Chișinău: Ed. Arc, 1997).

means exercising the right to be free. Western culture, with a long tradition of debates on free will, is built on the relation between determinism and freedom, always tipping the scales in favor of the idea that man is born free, above the constraints imposed by the liberty of the others or even by the way in which the principle of liberty is defined. Such a perspective is based on both the Jewish traditional patterns of religious thinking and on those marked by the new accents brought by Christianity, together with the imprint of philosophical reflections paralleled by or complementary to theological reflection. Such an understanding of freedom is founded on unreligious deontological codes.

The prestige of today's journalists of the western society comes from the fact that they act as beings that have control over their actions and decisions. The journalist is a guardian of liberty because he is a keeper of responsible actions. Besides being responsible for maintaining the personal liberty of the other, the journalist has "responsibilities as regards the social balance, both at general level – avoiding any possible interventions in some false or distorted crises of economic, political, inter-ethnic or inter-religious nature etc. – and at individual level, conscientiously refusing to stimulate the morbid appetite of the media consumer".²⁶ Once the sense and the limits of liberty regarding media communication are assumed, one can understand the principles of both the action and the moral responsibility of the journalist.

Ethical values and responsible action

Irrespective of the principle that guides and moulds personal action, it is important to mention that the founding of ethics and, by means of it, of moral responsibility imply that an action is based on a set of values, on situational thinking deriving from choices made consciously, from a certain type of worldview. Thus, moral responsibility does not necessarily imply those elements that are juridically acknowledged but rather it involves conscious action within a set of values that are part of the life of the person who chooses to live in that world.

These individual ethical options were synthesized in the principles of responsibility present in the deontological codes of media communicators. Aura Matei-Săvulescu and Cristina Munteanu draw attention to the four types of responsibility formulated in the journalists' codes: "1. contractual responsibility regarding press institutes and their internal structure; 2. social responsibility involving obligations with regard to public opinion and society as a whole; 3. responsibility deriving from the respect for the law; 4. responsibility for the international community born from the respect for universal values."²⁷

26 Mîruna Runcan, *A patra putere – legislație și etică pentru jurnaliști*, (Cluj-Napoca: Dacia, 2002), 97.

27 Aura Matei-Săvulescu, Cristina Munteanu, *Etică și deontologie în mass-media și relațiile publice*, Pitești: Independența Economică, 2004), 80-81.

To emphasize the distinction between prospective and retrospective personal responsibility, Michael Zimmerman states that responsibility implies the individual's action, the proactive social act of doing something, of reacting in a certain way, of choosing to perform an action in a certain way, most often building diverse strategies for decision making and motivation. This is the starting point for a theory on obligation that can be "moral, legal or imposed by some rules."²⁸ Such a theory of obligation could be the premise for a theory of liberty, a theory of values acquisition and for the ethics of the ethical responsibility of the journalist.

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²⁸ Michael Zimmerman, *An Essays on Moral Responsibility*, (Totowa, New Jersey: Rowman & Littlefield, 1988), 1.

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