

## EDUKACJA MEDIALNA

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### Selected Ethical Problems in Contemporary Mass Media

Deliberations on ethical problems in the mass media have led us to recognize “a number of difficulties related to the determination of the identity of ethics [...]”<sup>1</sup> that exist in every field of research.<sup>2</sup> Jan Pleszczyński recommends always referring to general ethics regardless of the type of research being conducted; he emphasizes that “general ethics is the foundation of any detailed ethics, thus a certain knowledge of it is necessary [...]”.<sup>3</sup> Considering the different conditions that shape the identity of ethics, P. Czarnecki concludes that “ethics is defined sometimes as a normative science about morality [...]. We can also propose a rather distinct, *ontological* definition of ethics. In line with this definition, apart from ethics in the sense of particular ethical theories, there is ethics itself, in the sense of objective principles of conduct that ethicists aim to discover.”<sup>4</sup> In the opinion of Peter Singer, a representative of so-called moral philosophy, originating from the English analytical tradition, the basic subject

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<sup>1</sup> P. Czarnecki, *Dylematy etyczne współczesności*, Centrum Doradztwa i Informacji Difin, Warszawa 2008, p. 11.

<sup>2</sup> In media studies, it can be e.g. identification of the mass media ethics with journalism ethics, in spite of the fact that, according to P. Czarnecki, “this narrowing seems, however, inappropriate. Journalism ethics is ethics of a particular profession. [On the other hand], the functioning of the mass media is influenced, however, not only by journalists. [...] there is a whole group of employees who affect the shape of the mass media and they cannot be called journalists in any way. This group includes, first of all, owners of the mass media and managers of various levels, whose effect on the content [...] happens to be decisive”. P. Czarnecki, *Etyka mediów*, Centrum Doradztwa i Informacji Difin, Warszawa 2008, p. 21.

<sup>3</sup> J. Pleszczyński, *Etyka dziennikarska*, Centrum Doradztwa i Informacji Difin, Warszawa 2007, p. 34.

<sup>4</sup> P. Czarnecki, dz. cyt., p. 12.

of ethics is interest in “values, good and bad, rightness and wrongness.”<sup>5</sup> Despite various definitions and ways of understanding ethics, its subject is people, and in the case of deliberations on the problem of the contemporary mass media, the subject is peoples watched, invigilated, and, in some cases, even persecuted by the mass media. For this reason, members of the contemporary media sphere are often accused of insulting morals, whereas the analysis and characteristics of this community require a stance be taken on ethical issues related to respect for human dignity and to the protection of boundaries of privacy, which may be perceived differently by each individual.

### **Between personalism and the dignity of another human beings**

The ethical thread in reflections on dissemination techniques was already present in the early days of the press, but, “for a long time, it was limited almost exclusively to the issue of freedom.”<sup>6</sup> The situation changed in the latter half of the twentieth century, when most European countries, including those of Central and Eastern Europe, were classified as democratic communities with a free and independent press; during this period, new issues came to the fore in philosophical-ethical reflection, including “the issues of truth, objectivity, responsibility and trust.”<sup>7</sup> As a result of changes in the popular press, a conflict arose between the interests of “those watching” and “those being watched”; this resulted in a debate on ethical problems related to the mechanisms of so-called media voyeurism, also known simply as *watching*.

A supporter of personalistic mass media ethics, priest and professor Michał Drożdż, has postulated that, when creating editorial materials, we should never forget about the most important, timeless and universal message of ethics – the protection of human dignity, the personal value of a human being and the value of human communities [e.g. family].<sup>8</sup> Drożdż also warned against the commercialization of the mass media, and taking part in such phenomena as media voyeurism; he postulated that, aside from economic factors, editors, publishers, and other people affecting the selection of journalism materials should take in account four principles: selflessness, reciprocity, universality and the affirmation of good.<sup>9</sup>

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<sup>5</sup> *Przewodnik po etyce*, ed. P. Singer, transl. J. Górnicka, W. Bober, R. Dobrowolski, A. Jedynek, P. Łuków, M. Pawelczyk, A. Przyłuska-Fiszler, R. Pucek, S. Radziszewski, K. Staszewski, Książka i Wiedza, Warszawa 1998, p. 19.

<sup>6</sup> Z. Sareło, *Media w służbie osoby. Etyka społecznego komunikowania*, Wydawnictwo Adam Marszałek, Toruń 2002, p. 7.

<sup>7</sup> Tamże.

<sup>8</sup> See M. Drożdż, *Etyczne orientacje w mediosferze*, Biblos, Tarnów 2006.

<sup>9</sup> Tamże.

Media expert Wiesław Władyka demanded that publishers and editors-in-chief [particularly of tabloids] admit publicly that their editorial staffs were making money on – and were culpable for from an ethical perspective – watching human weaknesses, defects and failures to adapt, and invigilating private celebrations such as weddings, funerals, divorces, etc. Władyka was worried about theories saying that commercialization, the popularization of the mass media, and the related “avant-garde” mechanisms of obtaining information might be an alternative, non-standard method of reaching the most poorly educated reader, a method for attracting their attention and arousing their interest in a given title, so that, in the future, it would be possible to develop in the recipient a habit of buying other titles of the daily press.<sup>10</sup>

The aforementioned theories were also disturbing for the now departed Archbishop of Lublin, Józef Życiński. He reminded us that we should not explain the unethical conduct of journalists using the categories of an educational mission, since such behaviours could not be explained by any “demonstrations of freedom aimed at spreading enlightenment to an ignorant nation.”<sup>11</sup> The Archbishop was claiming that activities insulting morality and ethics would never ensure editorial staff or journalists forming it respect, nor would they fulfil an educational mission. Wojciech Eichelberger took a similar position; he focused on the fact that mass media products were inconsistent with a generally understood morality: “conformism, hypocrisy, a lack of shame and scruples, the ability to manipulate others become a virtue.”<sup>12</sup> For this reason, any journalist materials based on invigilation, including television programs like reality shows, made Eichelberger think, first of all, about the deprivation of recipients.

### Boundaries of privacy

In the context of ethics and morality, one of disputable elements in the contemporary mass media noticed by all – commentators, researchers, but also journalists themselves – are the boundaries of privacy, i.e. the boundaries between the private and public spheres of life.

The issue of setting out the boundaries between the private and public spheres of human life has been the object of interest of many researchers. Some of them started their searching from unsuccessful attempts to define privacy. Others concluded that privacy was an undefinable area and, consequently, that it was impossible to set out its boundaries. According to Zbigniew Zaleski, psychologist from

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<sup>10</sup> See W. Władyka, *Tani Fakt*, „Polityka” 2003, no. 46, pp. 96–97.

<sup>11</sup> J. Życiński, *Kuszenie Pana Cogito*, Wydawnictwo UMCS, Lublin 2001, p. 80.

<sup>12</sup> K. Jabłońska, Z. Nosowski, *Czy ktoś trzaśnie drzwiami?*, interview with W. Eichelberger, „Więź” 2001, no. 5, pp. 12–20.

the Catholic University of Lublin, privacy is undefinable: "It is a norm perceived by the author, who has something to sell, and the audience, who is curious about the other. The boundaries of privacy are set out in an unwritten cultural code we have been learning since childhood."<sup>13</sup> Anthropologists are of a similar opinion; they believe that it is difficult to speak about any universal boundaries, since these are dependent on the place and time of a person's socialization. Conduct that is considered proper in one country may be ethically reprehensible in another country with another culture and system of values.

In line with the code that is binding in our cultural zone, the activity of looking is subject to many restrictions. It is interesting that from the youngest age children are taught that they should not watch precisely those areas of life which seem the most interesting to the mass media. It is also forbidden to violate so-called "domestic peace", namely, to enter someone else's apartment without knocking or arbitrarily intrude on the privacy of external estates: this is sometimes intruded upon by reporters, especially those involved in investigative journalism, and by paparazzi. The aforementioned journalists usually violate the privacy of third parties as they gather information.

Deliberations on how to define the boundaries of the sphere of private life in the context of the mass media were also taken up in Poland by lawyers. For instance, the civil law specialist from Kraków, Antoni Kopff, concluded that one criteria might be the scope of "justified interest" in a given person, which would be different for people known to the public than for others. Such a definition of the boundaries of private life was accepted and adopted by the Court of Appeal in Łódź [sentence of 18.02.1998], which ruled that "a person's sphere of privacy is related to the axiological system of the environment or community where a person functions. The system of privacy is also determined by historical, cultural and social considerations. Different boundaries define the sphere of privacy for an average person, farmer, or worker, and those of an actor, politician, writer or other persons of public interest who, through their acts, have become historical figures and are treated the same as public figures, regardless of the pejorative connotations that are the source."<sup>14</sup>

The problem with setting out boundaries, regardless of their provenance, was also noticed by Jean Baudrillard, one of the initiators of the postmodernist current in social theory, and a radical critic of globalization and contemporary culture. He suggested that people are not only less and less able to comply with boundaries, but also to identify them; this occurs regardless of whether or not they focus on ethical, moral, social and private problems, or whether or not they attempt to

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<sup>13</sup> E. Gietka, *Celebryci*, „Polityka” 2006, no. 37, pp. 4–12.

<sup>14</sup> Sentence of the Court of Appeal in Łódź of 18 February 1998, I ACa 38/98, unpublished, Quot.: *Media a dobra osobiste*, eds. J. Barta, R. Markiewicz, Oficyna Wolters Kluwer Polska, Warszawa 2009, pp. 193–194.

recognize a boundary between what is reality and what is its representation.<sup>15</sup> According to Baudrillard, the reality surrounding a person contributes to a blurring of the boundaries between “artificial” (simulations), and “real” (reality) elements. In the mass media, a lack of precisely staked out boundaries is important, above all, in the context of violating taboos and established moral norms. The mass media, especially those focused on the invigilation of privacy, are engaged in simulations of real situations, that is, they lead to an excessive exhibition of images, which thus far have been protected by taboos and non-codified norms of social life. Michał Paweł Markowski has even announced the end of the division of social space into public and private spheres, and warned against disregarding the importance of taboos and eliminating the distance that provides a person with a sense of distance and perspective. For this researcher, pornography was and is the best example of making reality unreal. Baudrillard similarly warned against watching morally ambiguous situations. He was of the opinion that excessive curiosity may result in a “degeneration of culture and social schizophrenia.”<sup>16</sup> The French critic of postmodernism compared contemporary existence with living in desolation, amidst the appearances of reality and numerous models of it.<sup>17</sup> The effect of this existence is the domination of beliefs over real images, and a person being attacked by numerous *simulacra*, present in the forms of press materials, films and advertising texts.

The contemporary mass media, wishing to satisfy their audiences, attempt to offer them a potentially high dose of “reality” in reality; they derive this from a rich arsenal of available means, which have hardly anything in common with ethics, such as invigilating and inducing intimate confessions. Thus, if in the mass media what is false is mistaken knowingly with the truth, “factoids” with authentic events, the real world with its mass media creation, with convention, then even the watcher may become the watched, and the watched become the watcher. Thus, if everything is determined by people, they also have the right to make decisions about the shape of boundaries and methods used to stake them out. However, Andrzej Mencwel has warned against an excess of freedom in selecting messages and making humanity a demiurge, usurping the right to subjectively determine conventions, e.g.: in the contemporary press. At the same time, Mencwel was aware of the fact that without these conventions there would be no art, literature or the contemporary mass press, particularly tabloid publications, invading third

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<sup>15</sup> See M. Sławska-Murmyło, *Skąd się wziął Wielki Brat?*, „Kultura Popularna” 2003, no. 2, p. 20.

<sup>16</sup> See J. Baudrillard, *Pakt jasności. O inteligencji zła*, transl. S. Królak, Sic!, Warszawa 2005; A. Ogonowska, *Voyeurizm telewizyjny. Między ontologią a rzeczywistością telewizyjną*, Wydawnictwo Akademii Pedagogicznej w Krakowie, Kraków 2006.

<sup>17</sup> See A. Bielik-Robson, *Podglądanie, czyli głód rzeczywistości*, „Tygodnik Powszechny”, supplement „Kontrapunkt” 2000, no. 42, pp. 9, 12; See M. Buchowski, *O potrzebie gwiazdorstwa*, „Charaktery” 2001, no. 5, pp. 19–20.

party privacy.<sup>18</sup> For this reason, a priority problem today has become the disappearance of privacy, especially for public figures.

The ongoing disappearance of privacy, the lack of rigidly staked out boundaries delimiting the spheres of public and private affairs, should make journalists aware of the need to be able to distinguish those topics they have the right to take up from those that should remain taboo. Attempts to sensitize mass media employees to the possible consequences resulting from their work and the methods they apply (e.g. watching) were taken up much earlier. Izabela Dobosz, in her PhD dissertation, written more than a quarter of a century ago, discussed the unethical actions of journalists aimed at invigilating the privacy of other people.<sup>19</sup> On the other hand, Paweł Kwiatkowski, in characterizing the special character of the journalistic profession, emphasized the small number of professions that face ethical questions on a daily basis, and which are forced to reflect and make choices and selections that are not always in line with their own conscience.<sup>20</sup> For this reason, when educating future journalists, attention should be paid to a seemingly obvious problem: the need to respect the boundaries between private and public affairs, even if they are regarded as conventional. Unfortunately, journalism in Poland is a free and open profession, and any person may become journalist, regardless of their education, skills and ethical dispositions. A different situation prevails in many other European countries (e.g. France, Italy), where admission to a professional group is determined by corporations that safeguard uniform ethical norms adopted for all employees, including the mass media.<sup>21</sup> On the other hand, in Poland, in line with the statement by Walery Pisarek, the morality of the press is safeguarded almost exclusively by: “the ability of people to assess their own behaviour as consistent or inconsistent with the ethical norms adopted”;<sup>22</sup> however, this tends to be quite an unreliable mechanism, since in the press, as in any occupational group, there are people who tend to violate norms and regulations, including ethical principles. We should also remember that compliance with ethical norms may also depend on the physical and mental fitness of a reporter on a given day of work, their subjective attitude to a given subject, and their political or religious beliefs.

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<sup>18</sup> See A. Mencwel, *Przejrzyste okna prywatności*, „Rzeczpospolita” 2001, no. 299, pp. D2–D6.

<sup>19</sup> See I. Dobosz, *Działalność środków masowego przekazu a odpowiedzialność za naruszenie dóbr osobistych (na tle procesów prasowych w PRL w latach 1960–1975)*, Ośrodek Badań Prasoznawczych RSW Prasa-Książka-Ruch, Kraków 1977.

<sup>20</sup> See P. Kwiatkowski, *Przedsiębiorstwo Apokalipsa. O etyce dziennikarskiej*, Dom Wydawniczy Rebis, Poznań 2003, pp. 42–43.

<sup>21</sup> In Poland, the Code of Journalism Ethics adopted by the Confederation of Polish Media was to be universal and designed for all types of the mass media. Unfortunately, the Code was not approved by some outlets, among others, TVP and TVN; thus, it did not fulfil its role as a list of uniform principles that would be binding in all Polish editorial offices.

<sup>22</sup> W. Pisarek, *Kodeksy etyki dziennikarskiej*, [in:] *Dziennikarstwo i świat mediów*, eds. Z. Bauer, E. Chudziński, Universitas, Kraków 2004, p. 423.

### **The funeral of Saint John Paul II – a journalist “exam in ethics”**

Accounts of the funeral of John Paul II in 2005 in Poland are regarded by many researchers as a journalism “exam in ethics”. Most assessments were positive; it was concluded that the mass media had fulfilled their role in a relevant manner; nevertheless, critical voices were also present. For instance, a mass media researcher from the University of Wrocław, Agnieszka Brzezińska-Mandat, focused on the fact that during the transmission of the Pope’s agony and the funeral celebrations, the mass media fought with one another about which of them would most move the audience. According to A. Brzezińska-Mandat, “a unique contest for who would be the first to announce this terrible message began.”<sup>23</sup> The author also mentioned “artificially dramatic accounts”, including PAP “notifying about a miracle”, and *Gazeta Wyborcza* even writing about a “saintly wind” blowing during the Pope’s funeral ceremony; a visible sign of it was a Holy Bible on the coffin of John Paul II which during the course of the celebrations closed suddenly due to the blowing wind. Some people read this as a symbolic closing of “the book of life”. The researcher wondered whether the mass media in April 2005 truly tried to express authentic regret.<sup>24</sup> She concluded that the mass media possibly did not express sincere grief and were just pretending to mourn the Pope “because it was what the society was expecting.”<sup>25</sup> If this was the case, not only did the mass media fail this “exam in ethics”, but, above all, they let down their audience, conducting themselves unethically towards them.

### **Contemporary mass media and Catholic ethics**

Mass media specialists and journalists who identify with Catholic ethics reject completely the possibility of using measures and mechanisms aimed at invigilation in reporter’s work, i.e. watching or following other people with the assistance of hidden cameras and microphones, or so-called journalistic provocations, namely, impersonating other people. They subscribe to the principle that journalism ethics cannot conflict with the principles of Christian ethics. For this reason, as stressed by the researcher Justyna Krzywkowska, journalists need, in particular, in addition to practical skills, “tact towards another man and his secrets. Appropriating human experience using violence by questioning or demanding confessions

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<sup>23</sup> A. Brzezińska-Mandat, *Medialne potrzeby obywatelskiego współodczuwania (analiza mediów od dnia śmierci Jana Pawła II do jego pogrzebu)*, [in:] *Za wolność waszych i naszych mediów*, eds. I. Borkowski, A. Woźny, Wydawnictwo UW, Wrocław 2006, p. 94.

<sup>24</sup> Tamże.

<sup>25</sup> Tamże.

would be treating man as a thing, rather than as a person. Dialogue always requires an open attitude to the value of another man.”<sup>26</sup> Similarly, in the opinion of the priest Marian Machinek of the University of Warmia and Mazury in Olsztyn, the behaviour of a journalist who uses lie and insinuations, and acquires information from illegal sources and in breach of the law is reprehensible because “obtaining information by means of immoral methods cannot be regarded as acceptable. [...] [the same applies to] promoting information only because of its sensational or controversial character.”<sup>27</sup> According to Ryszard Sztuchmiller, another priest connected with the Faculty of Theology of the University of Warmia and Mazury in Olsztyn, the highest good that should be protected, thus cannot be watched, is family and family events: religious celebrations, holidays and the everyday life of its members, namely those situations which are the most interesting for the contemporary sensational mass media.<sup>28</sup>

Pope John Paul II, recognized by Catholic journalists as an authority figure of the highest rank, addressed employees of the mass media many times, talking with them about matters of morality and values, which, in his opinion, should always be present in the mass media. In one of his numerous speeches delivered to employees of the mass media,<sup>29</sup> he emphasized: “As professional employees of mass media centres, you bear great responsibility for your mission. [...] Do not let the mass media serve to manipulate public opinion. Avoid [...] emphasizing the negative side and sensations in a biased manner without considering the personal rights of each individual. There is no information or transmission without any connection with values. You should support and propagate values that are worth propagating, [...] become involved with your whole competence in defending man and his dignity [...]”<sup>30</sup> For the Pope, journalistic information was not “a product” but the transmission of truth about man and an expression of his dignity; therefore, he objected to exposing trivial, light, sensational matters, which he described as distorting reality and doing wrong to another human being. In his speeches concerning unethical mass media activity, John Paul II was referring to the tabloid press. In his opinion, the tabloid press uses methods of obtaining information that affront human dignity to the greatest extent and manipulates dangerously the news it distributes.

<sup>26</sup> J. Krzywkowska, *Chrześcijanin dobrym dziennikarzem*, [in:] *Media – wartości – prawo*, ed. R. Sztuchmiller, Wydawnictwo UWM, Olsztyn 2008, p. 84.

<sup>27</sup> Priest M. Machinek MSF, *Zagadnienie prawdomówności w mediach*, [in:] *Media – wartości...* , p. 65.

<sup>28</sup> See R. Sztuchmiller, *Ochrona rodziny w mediach*, [in:] *Media – wartości...* , p. 74.

<sup>29</sup> In the opinion of Grzegorz Polak, John Paul II dedicated to the mass media and journalists more than one hundred speeches, in which he contained many practical comments but also warnings against threatening dangers. See G. Polak, *Wstęp*, [in:] *Dziennikarstwo według Jana Pawła II*, ed. M. Miller, Centrum Myśli Jana Pawła II i Fronda PL, Warszawa 2007, pp. 9–18.

<sup>30</sup> J.P. II, *Be the masters of your technique, but be, above all, people with heart*, (Speech delivered to the mass media employees, Switzerland, 16.04.1984), [in:] *Dziennikarstwo...* , pp. 51–52.



However, it should be noted that the protection of privacy was the object of interest of theologians and scientists identifying with the teachings of the Catholic Church, not only during the pontificate of John Paul II. Since the mid-20th century, there have been Papal speeches and instructions concerning respect for the other people's right to privacy. On 10 April 1958, Pope Pius XII at the International Congress of the Applied Psychology called on people to respect the "intimate sphere of the human spirit."<sup>31</sup> According to Wiesław Kacprzyk of the Catholic University of Lublin, "the Pontifical Commission Iustitia et Pax, in the document *The Church and Human Rights* of 1975 also indicates the right of every human being to protect his or her private life, intimacy and objective image."<sup>32</sup> Journalists identifying with the Catholic religion and the Catholic Church are declared opponents of using "watching" in their editorial work. They do not accept exceptions, even if invigilation was to be applied "in a righteous case".

The issues discussed in this paper are complex, difficult, and at times, controversial. This is not an exhaustive and comprehensive depiction of the problem, but only indicates its presence in the contemporary mass media. At present, privacy is subject to increasing restrictions; technological development and modern means of obtaining and distributing information invade the most intimate of human spheres. Every day, the mass media feature a conflict of equivalent values – a collision between the right to privacy and the right to obtain and disseminate information. It seems that it is not possible to develop explicit and exhaustive criteria that would apply to all situations. Each case should be considered individually, with simultaneous emphasis on the respect for the right to privacy for individual citizens and a balance between goods and the interests of the community at large. A journalist must act in accordance with the letter of the law and professional ethics, and, when encroaching upon the privacy of another individual, cannot affront his dignity.

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<sup>31</sup> W. Kacprzyk, *Prawo do prywatności w prawie kanonicznym i w prawie polskim*, Towarzystwo Naukowe KUL, Lublin 2008, p. 24.

<sup>32</sup> Tamże, p. 25.

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### **Wybrane problemy etyczne a współczesne media masowe**

(Streszczenie)

Artykuł porusza problem współczesnych mediów masowych w kontekście etyki i moralności. Autorka stara się zaprezentować czytelnikowi aspekty najbardziej symptomatyczne, a zarazem problematyczne i niejednokrotnie kontrowersyjne. Pokazuje w dość szerokiej perspektywie zagrożenia związane z warsztatem współczesnego reportera. Sygnalizuje postawy dziennikarzy, którzy próbują postępować w swojej codziennej pracy zgodnie z etyką i moralnością, np. dziennikarzy identyfikujących się z etyką chrześcijańską.

Słowa kluczowe: współczesne media, inwigilacja w mediach, granice prywatności, personalistyczna etyka mediów, etyka dziennikarska a etyka katolicka.