ETHICS AND PROFESSIONALISATION OF SLOVENE JOURNALISM

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Introduction

Whether journalism is a profession or becoming one, is often discussed in communication studies. Yet, there is no final answer about the meanings of "journalistic profession" and "professionalisation of journalism" and not much of a consensus about criteria for measuring professionalisation, including the presence of a code of ethics. In fact, we agree that nowhere is journalism a profession in the classic sociological sense, because it "lacks the objective criteria which would place it in the same social position as the true professions of medicine and law" (Splichal and Sparks 1994, 4).

There is also a question of how much a code of ethics actually expresses the degree of development of journalistic ethics in a certain social environment, since the mere existence of a professional code (like the present Slovene code) cannot be considered evidence of ethical judgements and practices. Instead, "the existence of an ethics code would suggest more about the aspirations of journalists — or the employers or regulators of a particular media organ — than about the actual status of journalists" (Splichal and Sparks 1994, 50). This paper discusses the (in)consistency of written norms and actual respect for them in contemporary Slovene journalism by looking at the ethical aspects of the current situation and status of Slovene journalism — after the independence of Slovenia, including democratic changes and the adoption of a new ethics code. The paper will also address university-level teaching of professional ethics in Slovenia.

Among several reasons for the difference between words and actions among Slovene journalists, including social circumstances, is the lack of some elements of

professionalisation, especially autonomy and appropriate theoretical knowledge, specifically, a theoretically grounded knowledge of philosophy (ethics). We agree with Black, Steele and Barney (1995, 39), who argue that "just as we develop techniques to improve our skills as reporters, photojournalists, and editors, we should continually develop our technique for doing ethics." A codified morality is limited because a solid grounding can be supplied only by philosophical theories of ethics, which represent the framework of judgements and actions by journalists. Without it, a first level of ethical reflection is lacking. However, a concrete situation requires yet another level, the placement of ethical reflections into the sphere of journalistic practice to enable journalists to make ethical decisions. Both levels are of primary importance for professionally ethical judgements and actions. They are built on respect for the dignity of a human person — a philosophical grounding referring to Immanuel Kant's "ethics of duty." Considering both levels of journalistic ethics as a part of a professionalisation of journalism demands "deontelic ethics," however, and not merely an existing code of ethics.

Three Codes of Ethics of Slovene Journalists[1]

The existence of a code of ethics is one of the criteria for journalism to be a profession. It is a constitution, written by journalists, to set norms regarding their freedom in light of responsibilities, and it represents an act of self-reflection about the profession and its basic activities.

Of course, the mere existence of codes of ethics is not enough because "the most important 'effects' of ethics codes are symbolic, rather than behavioural, in nature" (Pritchard and Morgan 1989, 941). Slovene journalists experienced three different professional codes of ethics since the days of Yugoslavia in 1982 and 1988, in addition to the present Slovene code passed in 1991. A comparison will raise several questions that are important for the professionalisation of journalism. According to the respective code of ethics: what is the journalist's role, what is a journalist's fundamental obligation (goals, intentions, tasks), and to whom is a journalist primarily responsible?

The 1982 Code of the Journalists of Yugoslavia provides the following framework: The first statement in the "general provisions" reads: "A journalist is a socio-political worker (...) consciously attached to the ideas of Marxism-Leninism." Or, as Mitja Gorjup[2] said in a 1976 interview, "I think that journalism in our circumstances (...) is no more just an occupation in a narrow sense of the word, but a political activity. (...) Therefore we should have, in my opinion, a uniform code of political and moral norms for the entire system of informing" (Gorjup 1978, 126).

According to the next paragraphs of the general provisions, a journalist "in his professional activity (...) contributes to the building and development of the socialist self-management society, and struggles for:

- the implementation of the role of the working class and of the rights of all people to decide about their life and work;
- the socialist and humane relations among people, respect of freedom and human dignity;
- the unity of the socialist self-management Yugoslavia, deepening of equality and self-management independence of nations and nationalities;
- the development of Yugoslav socialist patriotism and reinforcement of our state's defence capability and social self-defence;
- the reinforcement of the acquisitions, traditions, and goals of the Yugoslav revolution;

- the consistent politics of non-alignment, peace, independence, and equality in the international relations."

Thus, a journalist's fundamental obligation is his/her contribution to building and developing socialist self-management in society.

The media represented transfer organisations between the state-party government and the public. A journalist was supposed to act as a link, as a socio-political worker. The media discharged the function of protecting and maintaining the socialist system without functioning as supervisors, or so-called "watch-dogs." "Instead of using mass media to express public opinion, the party leaders considered mass media as instruments of propaganda to, consequently, supervise 'the public opinion,'" according to Splichal (1994, 47), who writes about the role of the mass media at that time. Deviant opinions were suppressed by preventive censorship and repressive penal legislation. A journalist was primarily responsible to the socialist state and not to the public.

The 1988 Code of the Journalists of Yugoslavia[3] offers only slight, unessential changes. A journalist is no longer explicitly labelled "a socio-political worker," although implicitly his/her role remains more or less the same, as suggested by statements about fundamental obligations. Journalism is still "not a job," but "first of all a political decision" (Gorjup 1978, 82).

The Code begins with "general provisions" printed in bold type: A journalist strives for

> *the development of socialist self-management, for the untouched integrity and for the federal social system of Yugoslavia, for the principle of equality of its nations and nationalities, for humane socialist relations among people and for the principles of non-alignment and of peaceful co-existence in the Yugoslav external policy (...) for the implementation of the constitutional role of the working class, and for the right of the working people to decide freely about their life and work; for the reinforcement of the Yugoslav socialist patriotism, for the maintenance of the revolutionary tradition and of the constitutional system of the state.*

Despite small changes in the formulation of the general provisions, a journalist's primary responsibility remains to the socialist state and not to the public.

The 1991 Code of Journalists of the Republic Slovenia[4] is the first one since Slovenia seceded from Yugoslavia and represents an immense change. For the first time in the history of Slovene journalism, journalists have a code which reflects the necessary elements of professional activities.

There is no explicit definition of the journalist's role in society[5] but an emphasis on a journalist's specific duties. This code no longer contains general provisions. Instead, the beginning of the first article states: "A journalist's fundamental obligation is true and genuine informing of the public." The requirement is based on truthfulness itself which is a basic professional principle. A journalist's primary responsibility is to the public.[6] The political system, the government of the working class, or patriotism are no longer mentioned. The code establishes the journalist as a professional decision-maker who is not committed to act on behalf of the collective (homeland, nation, working class). Instead, when asking questions, a journalist acts on behalf of the public and claims responsible answers for (this) very public. The credibility of journalistic information is shown "in the ability of journalism to honor a primary loyalty to the public" (Black, Steele and Barney 1995, 91).

According to the 1991 code, a journalist should place "responsibility to the public

above and beyond loyalty to an employer, a political party or friends" (Mencher 1984, 395). However, the media public should not be treated as an invisible, scattered crowd which is "primarily the crowd of isolated individuals" (Pečjak 1994, 147). The public consists of concrete addressees and concrete persons. "Each piece of information which is to correspond to the ethical imperatives, demands that the addressees should be considered as persons and not as a crowd," according to the resolution on journalistic ethics by the Council of Europe (No. 1003) which concludes that mass media rights arising from freedom of information "serve the addressees, i.e. the people."

However, a journalist's responsibility is extended beyond his/her fellow citizen to the source of information and the subject of journalistic discourse. The former are persons "from whom the journalist obtains material" for his articles, and the latter are persons "whose story a journalist is investigating" (Harris 1992, 66-67). Thus we distinguish three basic categories of individuals to be respected, and to whom a journalist is responsible: addressees, sources of information, and subjects of journalistic discourse.

Table 1: Comparison of the Last Three Codes of Ethics of Slovene Journalists

	CODE OF THE JOURNALISTS OF YUGOSLAVIA 1982	CODE OF THE JOURNALISTS OF YUGOSLAVIA 1988	CODE OF THE JOURNALISTS OF THE REPUBLIC SLOVENIA 1991
What is a journalist's role?	a socio-political worker, a Marxist - Leninist	no explicit definition	no explicit definition
What is a journalist's fundamental obligation?	attribution to the building and development of the socialist self-management society	striving for the development of the socialist self-management	true and genuine informing of the public
To whom is a journalis primarily responsible?	to the socialist state - the party leaders	to the socialist state - the party leaders	to the public

The Ethics Code: An Element of Professionalisation in Slovene Journalism?

According to most studies of professionalisation, possessing a code of ethics comes to be one of the key conditions for the professional practice of certain occupations or activities. We do not argue against the fact that codes of ethics are significantly important, yet they are not sufficient to meet "the requirements of ethics" in professionalising journalism. The main question remains whether having a code of ethics really constitutes credible evidence of the degree to which the development of journalistic ethics has proceeded in a certain society. As Pritchard and Morgan (1989, 941) argue, if "there is a link between the content of newspaper ethics codes and the behaviour of journalists faced with ethical decisions, the link is almost certainly indirect and mediated by a wide variety of other factors."

The attribute of self-regulation is, as Splichal and Sparks (1994, 49) state, "one of the key criteria for the sociological definition of the true profession, and this is often, if not always, embodied in a formal code of conduct. The profession of such a code, then, might be thought to be a mark of the professionalisation of journalism in those countries in which it operates. The actual picture is much more complicated." If we

drew a conclusion only on the basis of a comparison of the last three codes (the distinctively ideological, "transitional," and democratic ones), we could acknowledge the trend towards professional journalism, as far as the ethical aspect is concerned. If we viewed contemporary Slovene journalism merely in terms of the changes in the content of the codes, we could conclude that 1991 was a crucial turning-point in journalistic ethics and, consequently, in the professionalisation of Slovene journalism.

But such a conclusion would be true only if we could agree with the following presuppositions: that a code of ethics reflects the degree of development of journalistic ethics in certain social environments, and that journalists respect their own norms, set up by themselves as autonomous subjects and not by an external authority. Black, Steele, and Barney (1995, 13-14) feel that a "code will be obeyed because individuals willingly subject themselves to ethical standards above and beyond their own personal beliefs or because the code has specific provisions they fear should they violate it."

Undeniably, the last five years have witnessed important developments in the professionalisation of journalism in an independent Slovenia. But the above presuppositions are false or at least very problematic. As Splichal (1988, 619-620) argues, "It is about the question of how much a code actually expresses the degree of the development of professional journalistic ethics. (...) It seems to me that if we concerned ourselves most of all or even only with the code, we would do very little for the professional journalistic ethics." There is a significant difference between what is written in a code of ethics and what journalists practice. Therefore, it is important to move from the level of the code to consider how well contemporary Slovene journalism meets the criteria in its code of ethics.

Returning to the above questions, we address the actual situation of journalistic ethics in Slovenia. Accordingly, the present code emphasises specific journalistic duties, e.g., that a journalist's fundamental obligation is to inform truthfully and genuinely, and that a journalist's primary responsibility is to the public. What is happening to the implementation of these requirements?

A recent study of the Slovene daily press (Košir 1993a) reveals numerous cases of inexact statements of facts, particularly in presenting numerical data, grades and functions of those involved. There is also an omission of time. Infringements of the journalistic code are especially problematic when an author omits sources of information. The authenticity of stated "facts and evidence" is particularly violated in investigative reporting, when sources of information are often described in terms of "it has been heard," "to our knowledge," "presumably," "supposedly," or "there are rumours." Journalists do not check facts by consulting different sources; moreover, even unchecked information is being published. The duty to distinguish between information and commentary is violated on a daily basis by Slovene journalists. Journalistic and editorial corrections or apologies (corrigenda) are rare. Many journalists do not respect professional secrets. There is a well-grounded suspicion that illegal and dishonest means were used in collecting information. Often required distinctions between journalistic texts and advertisements are not obvious. There are numerous encroachments upon privacy, particularly where the code requires "special attention" (for instance, in reporting accidents and family tragedies). Instead of respecting the presumption of innocence, many writers proclaim people under suspicion and the accused to be actually guilty before court rulings. The violation of the article which prohibits the publication of unfounded accusations, attacks, lies, offences and curses, is an everyday phenomenon in Slovene journalism. Occasionally, there are also violations of the ar-

ticle prohibiting different types of discrimination, above all inducing conflict among nations.

In short, the study shows that Slovene daily newspapers continually violate the journalistic code in the majority of their articles, and there is a well-grounded suspicion that the code is being violated also in instances beyond this particular study. In summary, there is a major inconsistency between the words of the code and the actual, everyday reality of Slovene journalists. In addition, there are reported cases of a violation of the ethics of public expression, when journalists unjustifiably encroach on the privacy of individuals by identifying the subjects of journalistic discourse, according to the first regular annual report to the parliament by the Ombudsman of the Republic of Slovenia in June 1996.

Table 2: Code of Ethics and Journalistic Ethics in Contemporary Slovene Journalism

ETHICS IN CONTEMPORARY SLOVENE JOURNALISM	in THEORY ...	... and PRACTICE
	CODE OF THE JOURNLISTS OF THE REPUBLIC SLOVENIA (FROM 991)	STUDY OF SLOVENE DAILY PRESS (Košir 1993a) and REALITY OF JOURNALISM AND ETHICS
What is a journalist's fundamental obligation?	true and genuine informing of the public	gaining the profit
To whom is a journalist primarily responsible?	to the public	economic (market-driven journalism) and political power

Most frequently journalists disregard those duties stressed most in their own code. The Slovene media spectacle confirms that "profit, not ethics, is the prevailing motivation" (Taylor 1992, 409). Using a scene from Pygmalion by George Bernard Shaw, Goodwin (1990, 3) shows how "economic factors dictate our ethics." When Alfred Doolittle tries to get professor Henry Higgins to pay for the "use" of his daughter, Liza, Colonel Pickering asks, shocked by Doolittle's effrontery, "have you no morals, man?" "Can't afford them, Governor," Doolittle replies unabashedly. "Neither could you if you were as poor as me."

The Slovene media seem to display a multiplied, contemporary "**Doolittle syndrome**." As Day (1991, 181) observes, "The fundamental objective of any newspaper, magazine, broadcast station (...) is profit. Without it the life span of any media institution will be a short one." The marketing concept of the mass media holds that all departments, including news, must contribute to the financial well-being of the organisation. News and information must be packaged to attract a target audience. "No longer is the news produced merely as a public service. It must be sold to the consumer" (Day 1991, 182). The news becomes a product, a commodity, while the reader, viewer or listener is now a customer, and the circulation or signal area is a market. Journalism becomes "crafted to serve the market" (McManus 1994, 1); it becomes a market-driven journalism.

The resulting recognition that "the secret of success in media business is to gather an audience that at least some advertisers want or need to reach" (Goodwin 1990, 27) constitutes an outbreak of the yellow press. According to Mediana — a survey of the

Slovene media — ***Slovenske Novice***, a tabloid newspaper established in 1991, has the largest number of readers among Slovenia's six daily newspapers. ***Slovenske Novice*** carries articles with many "attractive" photographs, large headlines and front-page treatments using words like "scandalous," "sensational," or "tragic" which ruin the dignity of individuals every day. Thus, a person is not treated like a person with dignity and as a goal in itself, but as a means of attaining profitable goals for the mass media: "At present time the autonomy of the media and journalists is maybe most of all threatened by their subordinating to the principle of maximising the profit, which is maybe even more so in the ex-socialist states than in the most developed part of the world." (Splichal 1992, 478).

A comparison of the three codes could lead to the conclusion that Slovene journalism is professionalising in the field of ethics, but the major change has occurred mostly on the level of words (we have a new, modern and democratic code). Indeed, the most significant practical change has been the fact that socialist authority has been substituted by the authority of money and profits over journalism. Under the old system, journalists were responsible to the political elite, presently they are responsible to the powers of a market economy (and politics). Instead of "a struggle for socialism," there is "a struggle for survival on the media market."

The contemporary Slovene reality of journalism is a good example of how "the existence of a code is one thing; its practical effect is quite another" (Splichal and Sparks 1994, 50). The question is why there is such a large discrepancybetween words (the code) and practices (reality), and what can be done to reduce it. A more fundamental question is whether it is possible at all. Undoubtedly, the answer is of crucial importance for the future of professionalising Slovene journalism.

Professionalisation: From Code to Ethical Judgement and Practice

Thus, mere possession of a code of ethics is not enough for the ethics of actual journalistic practices. It is also not enough for an occupation to move from a "craft" to a "profession." As Rivers and Schramm (1957, 240) conclude, "the responsibility of mass communicators is a higher horizon that can be reached through codes of conduct."

According to Pritchard and Morgan's study of the impact of codes of ethics on judgements by journalists, there is no evidence that codes of ethics directly influence journalists in their decisions. "The nature of the relationship between formal norms and the behavior they are intended to regulate is problematic, however, because all sorts of factors other than formal norms influence behavior" (Pritchard and Morgan 1989, 934). There are many reasons for the inconsistency between codes of ethics and journalistic judgements and practices. Let us discuss some of them.

First of all, it is self-evident that "in a certain sense this difference must exist" (Splichal 1988, 620). The formation of specific professional ethics within journalism is to a large extent dependent on social circumstances. "Journalism is an unstable and fluid occupation which is particularly responsive to social and technological change, and, consequently, the concrete content of journalism varies from one historic period to another and from one country to another." (Splichal and Sparks 1994, 20). How Slovene journalists realise their ethical duties reflects the actual state of affairs in journalism as well as the social framework in which it is happening. In the last five years, Slovenia

has undergone enormous political, economic, and social modifications; the declaration of independence, war, the formation of a new state, the transition to democracy, the pluralisation of the political scene, and a market economy influenced and were influenced by the mass media. After independence, Slovenia has been facing the commercialisation of journalism "which is reflected in the selection of the content and in the language of the journalistic writing" (Košir 1993b, 2). An emergence of new, commercial media, framed by the market economy, has introduced a struggle for survival among the media; for instance, the mass media have entered competitions involving local cable television, regional television programmes, commercial radio stations, new daily newspapers and distinctively commercial magazines.[7] Successful competition for readers, viewers, or listeners means offering content that "sells well." Unethical journalism can be and is sold with profit.

Among crucial reasons for a difference between the code of ethics and journalistic practices, is a lack of autonomy. As previously stated, journalism has not gained more autonomy, but a new kind of non-autonomy. Yet the code of ethics emphasises and demands responsibility to the public, including independence from political or economic spheres. The mass media are supposed to be a part of "civil society." Yet, since 1991 the autonomy of Slovene journalists has not increased, while one main source of dependence has been replaced by another one.

Another reason for unethical behaviour among Slovene journalists is linked to the lack of a disciplinary mechanism; consequently, the "absence of professional discipline makes journalistic codes more advisory than mandatory" (Black, Steele and Barney 1995, 32). Among Slovene journalists, the code of ethics is more or less perceived as a "friendly suggestion," if a journalist breaks a rule, even in the worst possible way, no drastic measures follow; e.g., no loss of job or licence to practice journalism. Instead, the journalist returns to his routines the next day, does not make less money, or loses his reputation. Besides, the Code of Journalists of the Republic Slovenia only pertains to members of the Association of Journalists of Slovenia and not to other Slovene journalists. Violations of the code are discussed and denounced by the Honorary Court of Arbitration. But the Court can pass sanctions only against members of the Association, and journalists join the Association on a voluntary basis. Members are obliged to respect the code, or they can be expelled from the Association, the most severe measure. When a member violates a norm — the violation must be reported to the Court to start the procedure — the Court usually publishes the case in the media. If a violator is not a member of the Association, the Court can express and publish its opinion, but it cannot pass any other measures.

One of the important reasons for the incongruence of the ethics code with the concrete actions of journalists is the lack of theoretically grounded knowledge of philosophy (ethics). Ethical behaviour is not assured by possessing a professional code of ethics, by learning the twelve articles of the code, or by personal respect for the code in practical journalistic situations. In fact, this is a basic understanding. Journalists — as any other professionals — "are assumed to understand the norms of their specific activity and to be able to make decisions on a day-to-day basis" (Splichal and Sparks 1994, 48). But the idea of understanding the norms requires more than just a written code of ethical duties. It requires, as we will discuss later, a two-level ethics.

We agree that a journalist should use a code of ethics, but we "must try to understand the limitations of codified morality" (Rivers and Schramm 1957, 238), which is not — and can not be — a sufficient guide for ethical judgements and practices. As

Belsey and Chadwick (1992, 9) argue, "however much effort is put into drawing clear lines in a code of conduct, it is the individual journalist who will come face to face with very difficult ethical dilemmas, and have to make moral choices. No code can anticipate every situation." Ethical decision-making based only on a code of ethics lacks an appropriate (philosophical) foundation — the first level of ethical reflection — which can only be supplied by theories of ethics.

A code of ethics is concerned with normative ethics. "These theoretical rules and principles are the ethical markers (...), guideposts designed to bring moral order out of chaos. (...) When moral norms undergo their baptism of fire in the real world, the media practitioner enters the practical realm of applied ethics" (Day 1991, 4). For example, the eighth article of the Code of Journalists of the Republic Slovenia states that a journalist should be especially careful when reporting about accidents, family tragedies, illnesses, children, and minors. But the code does not and cannot suggest how to realise this norm in a concrete situation. Thus, a journalist is faced with the need for deeper, theoretical grounding and argumentation, such as found in the philosophical treatises ranging from Aristotle to Emmanuel Lévinas. We suggest that Kant's "ethics of duty" operate on the first level while the ethics of responsibility, or "deontelic ethics," function on the second level of any ethical decision-making. In confronting specific issues and concrete cases in a real-world environment, a journalist uses not only the principles of normative ethics from the code, but also insights from Kant's universal ethical rules and deontelic ethics. As a Slovene philosopher Edvard Kovač (1995, 44) argues, the grounding of ethical decision-making is the respect for the dignity of a concrete person. "The Honorary Court of Arbitration will use the code of journalistic ethics with benefit, however it will not be satisfied with it (...) its basic guide-post could be no written text, but the concrete suffering person, the dignity of his or her name which belongs to a unique hero and a criminal, a sinner and a saint, a beggar and a magnate."

Two Levels of Professional Journalistic Ethics

Ethical judgements in journalism should be made on two levels. The first level is the basis of journalistic ethics, which was found in Kant's idea; it is a matter of philosophical reflection, founded on ethics as meta-ethics, on the universal foundation of morality, thought, and action, and represents the framework of our judgement, how to act correctly. But a concrete situation of moral judgement requires yet another level of placing the first level in the sphere of life, enabling the moral actor, who is faced with a certain problem or dilemma, to make an ethical decision. Taking into account both levels is of primary importance for journalistic ethics as a living ethics which tests its universal foundation in life.

On the first level — the level of its foundation — journalistic ethics can be characterised as the ethics of duty, when journalists address themselves and others as persons. Since journalism as a profession is guided by the relationship towards people, it is necessary to answer the question of what a person is:

> *A person is above all something or somebody that is good by itself. Not because of a certain role he performs in the society, not because of his genealogical roots, be it racial, cultural or political. A person represents the good by itself. This holds for all dimensions, not only because I am a thinker or because I can do something, because I am a scientist or a technician, not only as a public worker or as a*

> *private person, but also as a cultural, emotionally rich, spiritually striving and friendly being. In short, a person is an integral human being, an individual in all of its dimensions (*Kovač 1995, 44).

A person is not considered an individual in the sense of being an "individuum." The community enables the individual to "become more than an individual, to be 'a man with others', and therefore to be a person", observes Kovač (1992, 99). It is impossible to tell when a man surpasses himself and steps out of the individual into his real self, that is to say, when he becomes a person. For "man continually establishes or recreates his own person. But when he opens out for the others, when he is prepared to give and commit himself to the other, we can talk about a person with certainty" (Kovač 1996, 61). The basic experience of a person is communication (Mounier 1990, 180). Thus, a man/woman becomes a person when he/she starts communicating with another man/woman, when he/she accepts communication as axiomatic.

Here we should point to Kant's idea of respect for persons, treating persons as ends and never as means only (1953). Persons are owed respect due to their dignity and not because they measure up to some external standard we have set for worthy individuals. We do not respect them, because their presence in the world is especially pleasing for us, nor do we respect them, because they contribute to the realisation of certain projects we consider especially worthwhile. We respect them for the beings they are, our respect is for persons as ends-in-themselves, for their singularity and incomparable worth. Each person possesses a dignity which is to be respected as an end.

A person is a homogenous, full and integral human being, grounding his life in relations with other people; it is an end in itself, the ultimate good, a value and dignity, which recognises itself and lives in a personal relationship. Respect of one's own dignity as well as that of other people is a journalist's duty. It is expressed in the Kant's categorical imperative and represents the basic law of morality. "Act only on that maxim of your will that can at the same time become a universal law" (Kant 1993, 33), followed by "Act as to treat humanity, whether in your own person or in that of any other, in every case as an end and never as merely a means," and "Act as if the maxim of your action were to become through your will a universal law of nature" (Kant 1953, 183-184, 192). Kovač adapted Kant's imperative to journalists:

> *Write so as to be imitated without moral scruples by any journalist. Write as to enable the maxim of your will to hold also as a principle of common law, hence, write as to make, by means of your will, your style of writing become a common style of journalistic writing. Write so as you would expect other journalists to write. Treat yourself and the others as persons with the dignity of the goal* (Kovač 1995, 44).

A journalist could eventually wish that his non-ethical decision-making become universally accepted in journalism. For instance, let the market decide who is more successful. This maxim, however, cannot become a common law. A journalist can, indeed, be acknowledged for his consistency, but "it is not a humanly rational consistency because there is no respect for persons involved in it" (Wheelwright 1959, 127). The structure of the categorical imperative requires that a moral law, if valid at all, must be as binding on me as on anyone else, while "its content must always involve an absolute respect for persons as persons — myself as well as others" (Wheelwright 1959, 126). To avoid any misuse of the categorical imperative, it is necessary to supplement the universal ethical category (if it is to be a useful one) with a new dimension at

the very core of the moral law: humanity, e.g., "humanism is at the same time personalism" (Kovač 1995, 44).

Each human being is entitled to the respect which raises him above things; this is why a journalist must "practically recognise human dignity in any other man" (Kant 1967, 38). He is responsible for any of his judgements or actions. But a journalist also has duties towards himself, for it must be "the humanity in our person sacred to ourselves" (Kant 1993, 127). He, too, as Kant put it, has his dignity whose "absolute internal value" he recognises (1967, 240). He has in himself "the consciousness of the inner court of justice" (Kant 1967, 234), called conscience. Conscience follows him like a shadow which he can never escape. "Has not anyone of at least average honesty found out at least once that he had avoided the recourse to a lie which would otherwise be harmless (...), only not to be forced to secretly despise himself in his own eyes?" asks Kant (1993, 86).

A journalist who would profit from unethical action, or serve the other, will possibly prefer to perform his duty because of his conscience. A journalist acting in an unethical way may try to justify his action in the public eye. "In this way he can proclaim himself innocent, but he will nevertheless find out that the solicitor who defends him can by no means reduce to silence the plaintiff within himself, on condition that he is aware of the fact that he committed the offence in full consciousness, that is to say, that he was able to make use of his freedom" (Kant 1993, 96). Eventually, the voice of his conscience will wake him, and he will hear it without paying attention to it. It is a journalist's duty toward himself to strive for moral perfection. The moral state in which he may find himself is in Kant's words "the moral orientation in the fight" (1993, 84), that is to say, virtue. A journalist can reach total correspondence with the moral law only through "the progress towards infinity" (Kant 1993, 119) by following virtues.

Thus, the first level of journalists' ethics can be described as the ethics of duty. The second level is the ethics of responsibility — the deontelic ethics. To judge according to the categorical imperative, however, is only a part of the way towards an ethical decision. The other part (or level) is a synthesis of deontological and of teleological ways of dealing with moral judgements. A combination of both, framed with the basic imperative of respecting human dignity is the most acceptable solution. It does not renounce the feeling of duty as it argues for the conviction that universal ethical principles (truth telling, fairness, and honesty, for example) "should be obeyed unless there is a compelling reason for deviating from the norm" (Day 1991, 50). The justifiability of this reason can be recognised by a journalist only on condition that he does not act merely "out of duty" (as Kant requires), but that he takes into account also possible consequences, which is characteristic of the teleological view. Thus, "a sound ethical stance for journalists is the synthesis of deontology and teleology" (Merrill 1989, 197), called "deontelic ethics" by Merrill.

Journalists start with basic principles which they feel a duty to follow, that is, a dedication to principles and a deep sense of duty to follow ethical imperatives. But they should also be willing to deviate from principles "when they feel they should — such as when reason dictates another course or when projected or anticipated consequences warrant the desertion of these rules" (Merrill 1989, 198). It is important that journalists do not follow the basic ethical rules blindly or unthinkingly. They should think about particular ethical situations and be flexible. "To think ethically is to be concerned with consequences of actions as well as with conforming to guiding principles," argues Merrill (1989, 199).

The practical results of a synthesis in the framework of deontelic ethics in journalism suggest, for instance, that in certain cases a journalist may omit a piece of information from an article, while remaining devoted to entirely revealing the information. He is still acting ethically even if he sometimes fails to identify the source of information, while he basically remains faithful to the duty of quoting his sources. A journalist may, in certain cases, decide not to publish a story, notwithstanding the fact that by doing so he opposes the public's right to be informed. But his decision is based on ethical grounds, because he may foresee that negative consequences of publishing the story could prevail over positive ones. Sometimes he can legitimately present himself under a false name; for example, while evaluating restaurants. In this case he is aware of his journalistic duty. He may, on occasion, perform his job "in disguise" when this is the only way of uncovering a (legal or moral) anomalies (Guenther Wallraf, for example). He respects the right of privacy, but in the case of public personalities whose private action influences public duties, he may publicise the practices even if they reach the sphere of privacy. The promise of confidentiality is not broken, even in a court of law, although he may value truthfulness, unless it is used to prove the innocence of a falsely accused person.

According to Merrill, deontelic ethics is "a broad moral grounding, not a set of specific rules for right action (...), (it) respects the journalist's own freedom and reason but is built on a respect for others, too" (1989, 214). It emphasises the fact that a journalist's freedom is tied to his personal responsibility, that journalism comprises rights and obligations, that freedoms always carry responsibilities. A journalist would not be responsible if he were not a free subject, and as such he has to take responsibility for his actions.

Ethics Education in Professionalisation of Slovene Journalism

As stated above, "the aspiration to professionalisation seems a very widespread one"(Splichal and Sparks 1994, 4), regardless of differing realities of journalism around the world. The aim of this article was to discuss the professionalisation of Slovene journalism regarding the code of ethics and professional journalistic ethics. After the democratic changes in 1991, Slovene journalists adopted a new, modern, and professional ethics code. Yet studies reveal a great difference between the content of the code and contemporary journalistic practices.

Among the reasons for this inconsistency are a lack of autonomy and knowledge of theories of ethics. Practical decision-making according to a code of ethics alone lacks a foundation which can be supplied only by appropriate theories of ethics e.g., ethical reflection, and considerations of a two-level ethics: the ethics of duty and deontelic ethics.

There are two main directions for resolving the inconsistencies of norms and acts (Ramovš 1996, 425). First, striving for professional prohibitions and demands in codes of ethics, which should be as clearly stated as possible, and the tendency to ensure an effective enforcement of these regulations — by retaining internal control within professional associations. If professional associations are not working well, this direction is ineffective; and second, developing professional ethics by forming the professional's personality, so that he/she can resolve with honesty "the grey area" between the need for norms and real professional powerlessness. In a concrete situation, this area always remains undefined, left to personal initiative, creativity, and responsibility.

According to Ramovš (1996, 425-426), these two tendencies involve two principal tasks. They are: (1) Forming a quality code of ethics within the professional association which is also decisive in enforcing the realisation of professional ethics among its members; and (2) Forming a sense of personal professional responsibility and honour at all levels of education. Here universities should have a special role to offer not only undergraduate and postgraduate educational programmes in professional ethics, but also undertake serious scientific research in the field of ethics.

Can ethics be taught? Cynics argue that ethics is not a proper subject for study, because it raises questions without providing clear answers, and sceptics who say that knowledge of ethics does not necessarily produce a more moral person. Others hold "that ethics is a subject like math, physics, or history. (...) Thus, the study of ethics is the key to understanding moral conduct and to improving the human spiritual condition" (Day 1991, 6). We agree that ethics can be taught, however, only to a certain degree. As Black, Steele and Barney (1995, 39) argue, just "as we think of writing, editing, and photography as essential skills that are part of our craft, the ability to make good ethical decisions in the face of difficult challenges is also a great skill, which can be taught and learned." Yet in Slovenia there is no long tradition of teaching ethics. The University of Ljubljana (Faculty of Social Sciences) included ethics in its educational programme for journalism students in 1994. Since then, social and journalistic ethics is a regular and obligatory course for fourth-year journalism students.

Concerning the content of an ethics course, Day (1991, 7-8) cites five educational objectives (drawn from a 1980 study by the Hastings Centre), stimulating the moral imagination, recognising ethical issues, developing analytical skills, eliciting a sense of moral obligation and personal responsibility, and tolerating disagreement. The faculty of Social Sciences course in ethics consists of two parts. The first one (60 hours), "social ethics," includes philosophy (Aristotle, Plato, Nietzsche, Mounier, Buber, Lévinas, Kant, and MacIntyre). The second part (60 hours), "journalistic ethics," includes the code of ethics for journalists in Slovenia and specific journalistic ethical duties, besides recognising ethical issues, discussing concrete cases from journalistic practice, and dealing with practical dilemmas with the help of philosophy, the code of ethics, and deontelic ethics.

In any event, we agree with Day that, "the teaching of ethics should rank in importance alongside writing and reporting, copy editing and layout," and that it "is advantageous to the college student to first confront the tough ethical calls in the classroom, where they can be rationally discussed, rather than under deadline pressure later" (Day 1991, 6-8).

Finally, what are the practical experiences of teaching ethics at the faculty of Social Sciences? Since most students have worked as journalists since the first year of their studies, facing ethical dilemmas is not new to them; they are fourth-year students with an average of at least three years of work experiences. Although they learn briefly about the code of ethics during their first or second year in some other journalism course, their main problem seems to be an inability to recognise ethical dilemmas, let alone solve them. Teaching experiences with two generations of journalism students indicate that after completing the ethics course, their ability to recognise a problem improved, while their decisions are based on grounded argumentation. They begin to better understand the notion of personal responsibility and the potential consequences of poor ethical judgements; they also begin to connect their rights to their duties, and their journalistic freedom to their responsibility. We assume that ethics courses help

shape ethical decisions of journalists, although there is no systematic evidence about the relationship between courses in journalistic ethics and the behaviour of journalists. Education in ethics does not necessarily produce more "ethical" journalists, but we consider it a very important part of the professionalisation of Slovene journalism — no less important than having a code of ethics.

Notes:

1. Adopted at the assembly of the Union of the Journalists of Yugoslavia, on October 28th and 29th, 1982, in Kumrovec, now Croatia.

2. Mitja Gorjup, editor of the central Slovene daily newspaper *Delo* from 1971 till his death seven years later, for the last two years also the president of the Union of the Journalists of Yugoslavia.

3. Adopted at the assembly of the Union of the Journalists of Yugoslavia, on October 28th, 1988, in Belgrade.

4. Adopted by the Association of the Journalists of Slovenia, on November 29th, 1991, in Gozd Martuljek, Slovenia.

5. Here we consider only those definitions of a journalist's role which are explicitly stated in the code. Organizations of journalists provide different definitions also by making criteria for membership in their trade unions or professional associations; the decisions of who they will admit to membership is the result of different factors, but in this article we remain within the framework of explicit self-definitions of journalists in their ethics codes.

6. Same as in the codes of ethics in other democratic societies. An analysis of 31 European codes of journalistic ethics (Laitila 1995, 535) shows that the codes center mostly on a journalist's responsibility to the public.

7. For example, in April 1996, the first number of a new tabloid *Trač* was issued. Titles from the first page were: "Julio Iglesias: This Year I Want to Get a Baby," "Tomba in Love," "Elvis's Diary Found," "Bud Spencer: Claudia Doesn't Want Me, I am Staying with My Wife ...," "Power, Beauty, and Sex: Stone - Stallone," "Exclusively: Letterman's Hearing Begins to Fail."

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