

Ethical and Professional Conduct of the Romanian Journalist

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Abstract:

Each institution that respects itself and its employees must elaborate a code of ethics and professional conduct, which should act as a guide, an example of ideal conduct, to which each employee of that institution should adhere, which they should internalize (that is they should identify themselves with the principles and values which are promoted), and which should obviously apply when exercising their work duties. The Deontological Code of the Journalist (adopted by the Romanian Press Club) and The Unique Deontological Code are the backbone which defines the professional identity of the employee and of the institution as a whole, accrediting their professionalism. It guides every activity of the employee, working at the same time as a means of regulating and guaranteeing the quality of the services provided to the clients/consumers. The main values highlighted by these codes are: responsibility for accuracy, truthfulness and relevance of the information transmitted, respect for the public, professional and personal integrity, active involvement in each activity undertaken. The journalist's moral integrity as a mere citizen (the values and principles according to which he/she lives his/her life in accordance with the Constitution of Romania, to the religious rules), blended with his/her professional one (the respecting of deontological codes' regulations and of the current laws, specific to the journalistic profession in this case) are absolutely necessary for the quality of the services provided and for the professional value of the person as a journalist, as a specialist in communication, in transmitting information to the citizens.

Key words: The Deontological Code of the Journalist (adopted by the Romanian Press Club); The Unique Deontological Code; professionalism; professional and moral integrity; respect for the public and for the information transmitted; relevant and educative information.

INTRODUCTION

The code of ethics is an indispensable instrument for the good government of any organization/institution. It is a sum of values¹, principles² and moral³ guidelines/rules, imposed through constraint, through administrative sanctions, with the purpose of taking the most correct decision in order to ensure a successful, moral, social and professional life, and in order to ensure the good wealth of the members of an institution and of the relationships between them. The purpose of adhering to the implementation of a code of ethics is to prevent unethical behaviors and practices from appearing. Such unethical behaviors and practices have become more acute with the apparition of corruption in the private and public systems. This phenomenon affects the reputation of such organizations and leads to the loss of financial income and of clients, as it is undesired by anyone to associate themselves with an organization that is ill famed due to scandals, poor quality products/services or due to the lack of the professionalism of the

¹ Ideal / aspiration, that we want to reach: for example righteousness, happiness, dignity.

² Prohibition or prescription that guide us towards achieving moral values.

³ The moral rule defends the moral values which are vital for an institution and for each of its members. It tells one what to do and what not to do in a given situation (e.g. not to steal): "If a moral code is a system of moral rules which regulates the moral life of an institution, then we must suppose that these moral rules are based on principles and draw their moral serum from these. Principles are the basis on which moral rules can be formulated, criticized, and interpreted. In addition, they constitute the basic guide in identifying a problem of <ethical> nature in the deeds of various professions". Mureşan, *Managementul eticii*, 110.

employees⁴. The most important values of society promoted by the ethical code are: doing good deeds and diminishing bad deeds towards peers, respecting others' dignity, autonomy, and integrity, assuming responsibility for one's actions, being impartial, having civil spirit, being loyal and professional. These values are directly linked to the moral principles that orient one's actions and decisions in any field of activity, these being benchmarks of the common ethos. The most important principles generally referred to by ethical codes are: the principle of doing good deeds (doing as much good as possible towards those around you), the principle of not doing bad deeds (avoiding to harm the others around you), the principle of respecting human dignity (respecting the human being as a supreme value, as a purpose in itself and not as a means of obtaining other things one desires), the principle of righteousness (not discriminating, being impartial, respecting truth as a supreme value), the principle of vulnerability (protecting children, women, and people with disabilities), the principle of integrity (protecting the life of the individual, acting in such a manner as to be contempt with oneself, that is acting in accordance with one's own system of values, being integer means being moral), the principle of solidarity (respecting each individual's equality of chances).

Each institution that respects itself and its employees must put together a code of ethics and professional conduct⁵,

⁴ "In this case the management purpose is that of preventing unethical behavior and of eliminating the costs which it entails, in other words, to eliminate those behaviors which affect the reputation of the organization, such as scandals, the poor quality of the offered services, or frauds. It is commonly known that a good ethical reputation attracts investors, as well as consumers – who have become more and more attentive to ethical details (for example to the correct labeling of products), because beneficiaries wish to be respected as buyers." Mureșan, *Managementul eticii*, 47.

⁵ The deontological code is made up of guidelines which pertain to professional aspects concerning the efficiency and quality of the performed work or services. Deontology is defined as "A set of principles and rules, resulting from the practice of a given profession, preferably established in collaboration with its users, with the purpose of better answering to the needs

which should act as a guide, an example of ideal conduct, to which each employee of that institution should adhere, which they should internalize (that is they should identify themselves with the principles and values which are promoted), and which should obviously apply when exercising their work duties. The objective of the deontological code, pointed on the one side on values and principles, and on the employee's professional conduct on the other side, would be according to Claude-Jean Bertrand "the removal of crooks and charlatans"⁶. These characters can stand for unprofessional journalists, who disconsider truth and righteousness, who go beyond the rules in order to obtain the so-called "sensational", the latter having to do in most cases with the private life of public figures. The deontological code is the backbone which defines the professional identity of the employee and of the institution as a whole, accrediting their professionalism. It guides every activity of the employee, working at the same time as a means of regulating and guaranteeing the quality of the services provided to the clients/consumers. Proof in this sense is the fact that an institution which has and respects a code of ethics intertwined with elements of professional conduct wins much easier the trust of the public, of the consumers to whom it provides certain services, who become loyal customers in virtue of this fact, being assured that the employees do not act on their own, but according to certain moral rules which guide their actions. Gaining the fidelity of clients represents a gain for the company too, bringing it prosperity, fame, and, obviously, prestige in the field it aims at. The internalization of the moral code, of the values, principles and rules is an important aspect, as, only in this way, the employee becomes aware that the purpose of these elements is that of helping him/her to become

of various categories of people". Bertrand, *Deontologia mijloacelor de comunicare*, 22.

⁶ Bertrand, *Deontologia mijloacelor de comunicare*, 66.

a good professional in his area of activity⁷, of getting to know which are the boundaries and the freedom in the activities he/she does, with the purpose of offering quality services to clients/consumers and of maintaining an amiable relationship, based on trust, mutual respect, and communication with them. In addition to stipulated obligations, the deontological code protects the employee too.⁸ The code lets the employee know that he/she has only to respect the rules stipulated in the code, without letting himself/herself dominated by the CEO's into committing something illegal in respect to the truthfulness of a piece of information, to its publication or its modification, in the context of certain existing personal interests of the CEO's or supervisors.

The ethical and deontological code must be put together by a team of representatives of all the employees from all departments. They get together, debate, discuss, and voluntarily accept the rules which need to be implemented. These rules should not be imposed upon the collective, instead they should emerge from it, not solely from the management⁹. If employees have a word in the editing of the code, they will not feel forced to respect it, they will interiorize it much faster, out of their own free will. It is one thing for someone to impose the code upon the employees and a totally other thing for it to be made up as a result of a negotiation between several employees

⁷ "Journalists all over the world, members of syndicate associations or simple employees of press companies, have invested and continue to invest their trust and respect in deontological codes, seeing them not so much an alternative per se to the state law, but more as a form of coagulating the people of the press around some essential values, not just for the well working of their profession, but for communication among people everywhere." Runcan, *A patra putere-legislație și etică pentru jurnaliști*, 315.

⁸ "The Code protects the client, but beyond that creates solidarity within the group and maintain the prestige of the profession, so its influence." Bertrand, *Deontologia mijloacelor de comunicare*, 66.

⁹ "From country to country, from age to age, from the type of press association to the type of press organism, codes frequently allow the personal, ethnic, stylist or conceptual perfume of their creators to be made apparent." Runcan, *A patra putere-legislație și etică pentru jurnaliști*, 316.

and the management. Each code must be edited using a language that is accessible to every employee, without figures of speech or words which may be misinterpreted by the personnel of the institution. In order for the ethical and deontological code to be of any value, it must be implemented, that is it must not remain solely at a declarative, formal, level, and used only when a breach in the rules appears. The implementation of the code can be done by informing the personnel of its existence, by creating brochures which explain the content of the code, through trainings, all these with the purpose of making the employees aware of the importance of this tool and getting them to understand the code. Despite the fact that deontological codes do not have the value of laws, and therefore cannot have judicial sanctions as consequences, they can have administrative sanctions as consequences (warnings, demoting, salary deductions, firing). In order to have deontological codes taken seriously, most employers choose to annex it to the individual labor contracts.

THE NECESSITY OF CREATING ETHICAL AND DEONTOLOGICAL CODES FOR JOURNALISTS. FROM THE PRESS AS A PROPAGANDA INSTRUMENT AT THE PRESS OF INFORMATION

The necessity of creating ethical and deontological codes for journalists appeared after World War II, due to the fact that the freedom of the press was legitimated only in the liberal, democratic, regimes, which appeared at the end of the XVIIIth century – the beginning of the XIXth century. Thus, according to Claude-Jean Bertrand's statement from *Introducere în presa scrisă și vorbită*, during authoritarian, communist, regimes the freedom of press did not exist, it could not be talked about, because the press was limited, constrained, controlled through censorship, and subordinated to those in command (that is to the leading party). Mass-media was a propaganda instrument,

used to transmit the instructions of those in command, in order to mobilize the masses and make them be submissive and accept everything they were told. In other words, the written and the audio-visual press had to indoctrinate the masses by promoting the party's ideology and the cult of the commander. However, there existed the possibility of listening to liberal radios, which transmitted from abroad, but this had to be done secretly.

Things changed radically when liberal regimes appeared, with their laws regarding the freedom of speech and freedom of expression, mentioned in two documents important documents: The Declaration of Human and Citizen Rights¹⁰ from 1789 and The Universal Declaration of Human Rights¹¹ from 1948. According to these two declarations any human being has the freedom of opinion, without being harassed for it, together with the right to "search for, receive, spread, without frontier limitations, information and ideas, through the few existing means of expression"¹². In order for the citizens' right to information to be accomplished, there is the need for the existence of a freedom of the press to obtain information and to spread it, the press becoming, as Popescu Cristian Florin puts it in *Manual de jurnalism: Tehnicile colectării informației. Jurnalism specializat. Elemente de etică jurnalistică și legislație a presei*, a "voice of the citizens"¹³, through which they can make themselves heard, they can express their opinions freely,

¹⁰ Article X: "No one may be disturbed for his opinions, even religious ones, provided that their manifestation does not trouble the public order established by the law." Article XI: "The free communication of thoughts and of opinions is one of the most precious rights of man: any citizen thus may speak, write, print freely, except to respond to the abuse of this liberty, in the cases determined by the law."

¹¹ Article 19: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

¹² Bertrand, *Deontologia mijloacelor de comunicare*, 57.

¹³ Popescu, *Manual de jurnalism: Tehnicile colectării informației. Jurnalism specializat. Elemente de etică jurnalistică și legislație a presei*, 183.

having access to information. This proves that the freedom of the press to obtain and publish information of public interest¹⁴ represents the fundament or the guarantee of respecting and putting into practice the citizens' freedom to have free access to information. This freedom is an absolute right of human beings in general, which corresponds to their vital needs, as "without communication, society does not exist, therefore a lengthened survival of the individual does not exist."¹⁵

From the above mentioned facts, one can observe an evolution of the press, of the functions and roles it has had across time. If at the beginning the press was controlled by the state, being an instrument of propaganda, starting with the XIIIth century the press became a means of expression for opinion groups (that is for the elites), facilitate by the apparition of coffee shops and lecture salons. In time the press of opinion turns into press of information, which "is dedicated to the publication of facts, not to the polemics of ideas"¹⁶, becoming at the same time accessible to all citizens and having a civic function, that of informing the reader. Other systems of distribution appear: specializes sellers, selling at the corners of streets, home distribution. The content of the written press also gets modified: daily installment novels appear, which kept the public's interest lively (Balzac, Hugo, the Romantics), various facts which grab the attention of the freshly alphabetized public are presented, drawings, engravings, and at the end of the XIXth century even photographs appear. This press of information addresses itself both to intellectuals and to those

¹⁴ According to the Law 544/2001, regarding free access to information of public interest, information of public interest is defined as "any information which concerns the activity or results from the activity of a public authority or public institution, regardless of the frame, or the form, or the manner of expression the information has". According to article 13 of this law "information which favors or hides the breaking of the law by a public authority or institution cannot be included in the category of classified information and is information of public interest".

¹⁵ Bertrand, *Deontologia mijloacelor de comunicare*, 56.

¹⁶ Lochard, *Comunicarea mediatică*, 53.

less educated. Starting with the XXth century, mass media can be seen as a public service, which addresses itself to all the citizens-consumers which legitimate it through the trust and fidelity they offer it.

In order to maintain the legitimacy offered by the public, mass media must provide a quality service, based on the journalist responsibility for the content of every information offered to the public.¹⁷ As a result, there arises the need to put together a set of rules of conduct for journalists, which should include certain values necessary when exerting the profession of a journalist or which should constrain journalists to get seriously and responsibly involved in their activities, through the truthfulness and the correctness of the information they transmit to the public. In the spirit of this ideal, at the end of the XIXth century, professional journalists established associations in order to establish rules and values for themselves regarding the journalistic practice. That was the time when the first specialized schools appeared and the first codes were written.¹⁸ In present days, each democratic state has at least one code of the press, which can be called a code of ethics, a code of professional conduct, a code of honor or a declaration of principles. As it can be observed, deontology blends the journalist's social responsibilities, his obligations towards the public, with the freedom of the press. At a national level, the authors of journalistic deontological codes are usually associations/ syndicates made up of media CEOs and journalists, while at a local level, each newspaper can put together its own deontological code (for example the codes of the

¹⁷ "Freedom will be best defended starting with the moment when the personnel who works in the press and in the other information media will constantly and voluntarily try to maintain a high sense of responsibility." Bertrand, *Deontologia mijloacelor de comunicare*, 49.

¹⁸ The first journalist's code of ethics appeared in the US in 1910, at the initiative of a press associations from Kansas and was addressed to publishers and directors: A Credo of journalists. In 1918 appeared The Duties Charter of the French National Union of Journalists (SNJ). In 1939 appeared The Code of Honor of the International Federation of Journalists.

“Le Croix” newspaper in France or that of the “Chicago Tribune” in the USA).

THE ANALYSIS OF *THE DEONTOLOGICAL CODE OF THE JOURNALIST* (ADOPTED BY THE ROMANIAN PRESS CLUB) AND *THE UNIQUE DEONTOLOGICAL CODE*

Two of the most important deontological codes in Romania are: *The Deontological Code of the Journalist*, adopted by the Romanian Press Club¹⁹, and *The Unique Deontological Code*, adopted at the reunion of the media organizations during the 23rd-34th of October 2009. Despite the fact that these two codes are edited in different manners (the first code goes more in the line of pointing out rules that must be respected, whereas the second code goes more in the line of moral values), the active subject is the same for both of them, even though in the first code it appears under the term of professional newspaper writer, while in the second code it appears under the term of journalist²⁰. The definition of the journalist as a professional is an important aspect, which needs to be highlighted in any deontological code concerning the profession of journalist. The essential quality of the journalist as a professional is clarified by Claude-Jean Bertrand in his works *Deontologia mijloacelor de comunicare* and *Introducere în presa scrisă și vorbită* (chapter 14) where he states that it signifies the journalist's capacity to understand himself through the understanding of his own domain of activity. This means that a journalist must firstly have specialized knowledge, general knowledge from

¹⁹ The Romanian Press Club is a national association representing over 40 publishing houses and including the most important media institutions, both in the written and audio-visual press.

²⁰ *The Unique Deontological Code*, Art. 1: “The journalist is the person who takes care of collecting, photographing, recording, writing, editing or publishing information concerning local, national, international events of public interest, with the purpose of public dissemination, earning a living in a significant degree from this activity.”

various fields (science, law, education, industry, foreign languages), and not lastly he/she should know very well his/her mother tongue and the history of his/her people. Otherwise, the journalist will use terms whose signification he/she is not adequately aware of, he/she will present certain hypotheses as being real verified facts, he/she will come to non-justified, inconclusive conclusions. The above mentioned knowledge is necessary in order for the journalist to be able to comment and interpret correctly an event, to make correlations, connections, to other similar events, thus proving his/her professionalism. In addition, in regards to the journalist professionalism, *The Deontological Code of the Journalist* mentions the need of at least one year's experience in this field.²¹

The most important value promoted by both deontological codes of journalism, value which depends upon the quality of the work done and at the same time, value which draws the essence of the purpose mass communication means, is the respect for human rights. Respect towards other people is manifested through the care which the journalist must manifest, so as the message he/she transmits, would not be interpreted as an instigation towards violence, hate, or discrimination²², and through the presentation to the public of truthful, real, unmodified information. Respecting the others' rights and freedom is the first step towards constructing an amiable relationship, towards gaining the citizens' trust in the means of mass communication in regards to the truthfulness of

²¹ *The Deontological Code of the Journalist*, Introduction: "The professional journalist is the person who has as his/her main paid occupation the press, possessing a press pass recognized by one of the professional organizations, that is any reporter, copywriter, photo reporter, press designer, copy write secretary, team leader or head of department, chief editor or vice-editor, publishing, radio, television director, with a minimum of one year's experience in the press (time span which represents the internship in this activity)."

²² *The Unique Deontological Code*, Art. 13: "The journalist is indebted not to discriminate and not to instigate towards hate and violence. The race, nationality, or belonging to a certain community (religious, ethnic, linguistic, sexual etc.) will be mentioned only in case this information is relevant in the tackled subject."

their purpose and of the information they provide.²³ The truth is the supreme value of deontological codes and the key professional value without which one cannot step in the world of journalism, without which the professionalism of a journalist cannot be brought into question. The love of truth and righteousness guarantees the active, devoted, involvement of the journalist towards providing quality services, whose purpose is to inform the citizen as well as possible in regards to certain events occurring during a day. The active involvement of the journalist in activities which pertain to his/her job also comes from his/her passion about his/her profession, from the pleasure of coming each day to work, and, why not, from the affection towards people, as, in the end, he/she is there to serve the community.

The object of journalism is information.²⁴ The primordial qualities of journalistic information are its correctness and truthfulness. Correct information is that provided in an objective²⁵ and impartial manner, just as the events occurred, without the journalist including personal involvement (his/her own opinion, his/her own comments)²⁶ or distorting the reality of the events. If personal opinions were included, then the public could be led into error, it would not correctly understand the message, not knowing where the stating of the real facts

²³ The citizen's right to have access to correct, truthful information is considered to be "the fundamental duty of the journalist and a guarantee of credibility for the target citizen. Therefore, our first duty, in brief, concerns a right that is equally ours, but above us: the right of the citizen to the truth." Runcan, *A patra putere-legislație și etică pentru jurnaliști*, 126.

²⁴ "Information should be understood as a stock of data (messages, signals, symbols), which get transformed through the process of communication. This communication allows the human being to create new meanings, to interpret messages, and to transform ideas and knowledge through dialogue with peers." Bertrand, *Introducere în presa scrisă și vorbită*, 21.

²⁵ "Objectivity is a level of performance toward which we are moving. We honor those who touch it." Runcan, *A patra putere-legislație și etică pentru jurnaliști*, 318.

²⁶ *The Deontological Code of the Journalist*, Art. 3: "The journalist does not have the right to present his/her personal opinions as facts. Press news must be precise, objective, and must not contain personal opinions."

end and where the comments/suppositions of the journalist begin. Each journalist has his/her own style of presenting the information, benefiting from the freedom to put together and edit the piece of news as he/she wants it, therefore, from this point of view, he/she is independent, but must take into consideration at the same time the stipulations of the code. Any distorted²⁷ information is incriminated, that is any piece of information intentionally modified, the need of having verified the information from at least two sources²⁸ before transmitting it to the public, having been mentioned. The sources attest the truthfulness of the information, its authenticity, the journalist not being liable of being accused of having made up a piece of news. According to the two mentioned codes, in Romania, it is not compulsory to mention the two sources, however they must exist in case anyone wishes to verify the truthfulness of the piece of news in question. The mentioning of the sources proves the journalist's transparency²⁹, that is the fact that he/she has nothing to hide, that he/she respects the legal conditions and those of the existing code, that he/she is honest and always respects the truth. In order to be truly transparent, as the code demands, it is very important that one is thus in the day to day life too. One cannot be in one way at home and in another way at work. Even one's family life, outside working hours, one must be the same type of person, who respects the others, who

²⁷ *The Deontological Code of the Journalist*, Art. 9: "The journalist who intentionally distorts information, makes non-funded accusations, plagiarizes, uses without authorization photos, TV images, and sources, or calumniates, commits maximum gravity professional errors."; *The Unique Deontological Code*, Art. 5: "The journalist who intentionally distorts information, who makes non-funded accusations, plagiarizes, uses without having the right photos or audio-video recordings or slanders, commits maximum gravity professional errors."

²⁸ *The Deontological Code of the Journalist*, Art. 2: "The journalist can publicly release only the information whose truthfulness he/she is sure of, after having previously checked it, usually from at least two sources."

²⁹ Transparency is considering an honest collaboration of a journalist with other state institutions and citizens, not to be accused of being a liar or corrupt.

cherishes righteousness and the truth. In the case of confidentially obtained information, codes mention that this information should not be declassified, the professional secret being kept in this way. If there are persons (witnesses), who could suffer in case their identity was exposed, that is their life, their freedom, and their physical and psychological integrity would be put in danger (the criminal still at loose and can take revenge for having been given in to the police), the journalist must ensure them protection.³⁰ In the case of under aged children who have been victims of domestic violence of any kind, their identity must be protected, thus the journalist would contribute to the reintegration process of the victims and to their overcoming the trauma. Information must be obtained by legal means³¹, usually through interviews with the people in question, not using unlawful methods such as intentionally hiding the journalist's identity, forced entering public property, recording with a hidden camera, stealing documents, blackmailing, harassing, threatening.

One important thing to mention at this point is linked to mass-media's function of not publishing every information that is at hand, but to select the information according to the public's utility and interest. It should not be forgotten that one of mass media's roles is that of educating the public, of civilizing it by promoting good quality, educative information, as it is necessary for the media to "raise the level of morality and rationality, to protect traditional culture and contribute to

³⁰ *The Unique Deontological Code*, Art. 15: "The journalist has the obligation to maintain the confidentiality of his/her sources in case they request it, but also in the case when revealing the identity of the sources can put their life in danger, their physical or psychological integrity or their job. The protection of the professional secret and of the sources' confidentiality is at the same time a right and an obligation of the journalist."

³¹ *The Unique Deontological Code*, Art. 16: "As a general rule, the journalist shall obtain information openly and transparently. The use of special investigation techniques is justified when there is a public interest and when information cannot be obtained by other means."

the birth of new forms of culture”³². In virtue of this role, journalists must be explorers, initiators, presenting various kinds of news³³, especially documentaries/research concerning important social issues which may affect or do affect the public.³⁴ Thus they put into practice their role of transmitting useful information to the citizens, with the purpose of molding a clear truthful vision of the world for them. The importance of this educational function of mass media is profoundly felt, especially when taking a closer look at the postmodern public. It has been observed that nowadays the contemporary man is much more receptive to and remembers faster the information presented in the press than he does those read in books.

If analyzed, the deontological codes of Romanian journalism also refer to every person’s right to a private life, because the latter is not of public interest, but concerns only the person in question.³⁵ This rule can be breached only in case a person’s private behavior or business affect the public interest or the public safety (for example if a public figure is involved in drug dealing/human trafficking). The violation of the right to a

³² Bertrand, *Deontologia mijloacelor de comunicare*, 109.

³³ “To accentuate and diversify the appetite is almost as important as to feed.” Bertrand, *Deontologia mijloacelor de comunicare*, 109.

³⁴ “Instead of only being spokespeople for their city or region, instead of always remaining in a fade prudence, the means of communication must discover and point out what is not working and, in addition, they must discover solutions for problems and must help their users to put them into practice – even if this comes into contradiction with the ideas they received and the interest they had decided upon.” Bertrand, *Deontologia mijloacelor de comunicare*, 117.

³⁵ *The Deontological Code of the Journalist*, Art. 4: “The journalist is compelled to respect the private life of the citizens and will not use methods forbidden by the law in order to obtain information or images regarding it. When the private behavior of public figures can have consequences upon society, the principle of non-intrusion in private life can be eluded.”; *The Unique Deontological Code*, Art. 9: “The journalist is indebted to respect people’s right to private life and dignity (including the aspects regarding family, home, and correspondence). Meddling in one’s private life is permitted only when the public interest prevails upon the protection of the person’s image. In such cases, the journalist is permitted to publicly present facts and information which concern one’s private life.”

private life can include: intrusion³⁶, that is forced entry in a person's house, in a public institution, the reading of personal documents which concern only the person in question, the publication of the name and the photograph of the person without the permission of the subject (especially in the case of under aged children). If, in what journalists are concerned, it is pretty clear that they are not permitted to publish such news, what happens in the case when the person in question, wanting to obtain public attention, offers exactly this type of information for free, or creates together with the journalists a screenplay of a potential event? The more serious issue which appears in this case is that, besides the fact that the public enjoys this type of news, some press representatives take advantage of this fact, giving the reader or viewer, in the name of rating, of profit, what he/she wants, leaving aside the educational function, the function of correctly informing the public, with which press representatives are associated. Popular culture of the gossip type does not educate people, on the contrary, it makes them worse, it "makes the stupid" in the name of profit, the purpose of such press thrusts being "that of seducing the public in order to sell it to publicity"³⁷. In other words, they grab the public's attention through funny commercials, presented by stars, who are supposed to attract the consumer public due to their notoriety, the average person considering that the product is better, of higher quality, if it is presented by a public figure. However, it is not pure entertainment that is promoted, but entertainment is associated with other functions (for example one laughs at a TV commercial and as a result one buys the product which describes itself as being miraculous, having an immediate effect). The life of ordinary people who make an honest living, having got to grow professionally, is no longer

³⁶ "Thus, intrusion includes, from the classic forced entry, to any kind of entry and procurement of information from one's private world, without the direct consent of the person or of an entitled authority (police, prosecutor, justice)." Runcan, *A patra putere-legislație și etică pentru jurnaliști*, 184.

³⁷ Bertrand, *Introducere în presa scrisă și vorbită*, 38.

interesting. Mass media of this type has the role of glorifying the ideal human body, by presenting photoshoped images of stars on magazine covers, thus becoming an example for teenagers to follow.³⁸ Neglecting the educational and formative role of the mass media is “the clearest violation of their social responsibility”³⁹.

In virtue of the above mentioned cruel reality, deontological codes bring into discussion the journalist’s professional integrity. The journalist’s professional and moral integrity is reflected in his/her conduct, which must be in accordance with the values and principles of the ethical and deontological code after which the institution the journalist is part of functions. These values and principles must be internalized, learnt, that is the journalist must feel and be convinced that these are in accordance with his/her own values and principles. If this is done, then the journalist will do quality work, he/she will be much more involved in his/her activities and will take pleasure in doing them, without having a conflict of interests (at the work place the public interest prevails upon the private interest), and thus ensuring his/her loyalty towards the profession and towards the institution in which he/she works. In most cases, such issues are resolved from the start by employers: since being employed the journalist is informed about the editorial policy of the institution in question (he/she is presented with the objectives and the chosen strategy for obtaining them), about the content of the existing deontological

³⁸ “TV characters are stereotypes, with tendencies towards racism and sexism. Feminine bodies and faces abound, however there are few positive feminine roles. Like in the case of the cinema, certain categories can be found as being under-represented: children, elderly, intellectuals, workers, and poor people. In publicity and in its programs, television offers a simplistic and inexact view of the world: it is at the same time pimped (fictional characters who often live above the average lifestyle), but also lower and more violent than in reality. In music videos, men frequently appear as hooligans and women as prostitutes: how will this be perceived by teenagers?” Bertrand, *Deontologia mijloacelor de comunicare*, 119.

³⁹ Bertrand, *Deontologia mijloacelor de comunicare*, 119.

code, with the purpose of seeing if there is a concordance between his/her personal and professional values. At the same time the journalist is asked to fill in a declaration concerning his/her interests.⁴⁰

In accordance with integrity as a necessary and important value of the journalist, *The Unique Deontological Code* stipulates a conscience clause⁴¹, which refers to the journalist's duty to not accept any proposition of acting contrary to the regulations of professional ethics or any such idea which may arise from his/her personal beliefs. In other words, the journalist is not allowed to act contrary to the stipulations of the code, therefore he/she cannot/is not allowed to be corrupt or corruptible and must reject any proposal of this type. In addition, the journalist cannot remain indifferent to the request of acting contrary to work duties, being compelled to report those who have proposed this illegal act or those who he knows to have been corrupted. According to article 254 of the Criminal Code of Law, reinforced by Article 4 of the *Unique Deontological Code*⁴², and by Article 8 of the *Deontological Code of the*

⁴⁰ The declaration of interest refers to the clear specification that you are an associate or a shareholder also at other institutions, companies and what kind of position you have there, what income you have, etc.

⁴¹ *The Unique Deontological Code*, Art. 2: "The journalist has the right to a clause of conscience. He/she has the right to refuse any journalistic action that goes against the principles of journalistic ethics or against his/her own beliefs. This freedom derives from the journalist's obligation to inform the public."

⁴² *The Unique Deontological Code*, Art. 4: "The use of the journalist status and of the information obtained while practicing this job, in order to obtain personal benefits or benefits in favor of third parties, is unacceptable and represents a serious breach of deontological regulations. The journalist will not accept gifts in money, in nature, or any other advantages which are offered to him/her with the purpose of influencing the journalistic act. The acceptance of promotional materials or materials with a symbolic value is accepted." *The Deontological Code of the Journalist*, Art. 8: "When conducting his/her profession and when relating to public authorities or to various privately owned companies, it is forbidden for the journalist to make agreements that might affect his/her impartiality and independence. No type of privileges, special treatments, gifts or favors which might compromise the journalist's integrity should be accepted."

Journalist, the journalist as a public worker cannot be corrupt or corruptible, therefore he/she does not have the right to request, receive, accept, or not refuse money, gifts, small tokens of attention coming under the form of bribe, given by citizens, supervisors, or any other people who have direct interest in distorting the information or in its not being published. The journalist must reject these in a polite manner, in virtue of the fact that he/she is paid for completing his/her job related tasks and is not permitted to accumulate this type of “bonuses”. Moreover, the journalist in his turn must not take advantage of his status by asking for money or other undeserved benefits (the offering of other services, properties, free field trips, promotions etc.). Asking for, receiving money or other undeserved benefits, accepting promises for such things or not rejecting them are actions which incriminate the public worker, who through his mere request or lack of rejection can be accused of accepting bribe. It is not necessary that he/she receive the money in question, the enactment of the crime takes place when he/she requests, accepts the promise of, bribe, or does not reject it. As it can be observed, the passive attitude is also punished (the non-rejection), as it is considered to be a tacit acceptance of bribe. In order not to be accused, the journalist as public worker must verbally state that he/she does not accept.

When analyzing the regulations of the Romanian journalist’s deontological codes, one other aspect that must be mentioned concerns the situations when it can be observed that, out of hurry (with no bad intention), out of the journalists’ desire of being the first who broadcast an important piece of information (even though it would be better for them to be the one who present, analyze, it best), broadcast a fake or incorrect piece of information. In such situations, both ethical codes mention the journalist’s obligation to fix the mistake within 5 days, by issuing a press release in which to rectify the subject’s

image and in which to grant him/her the right to reply.⁴³ The right to reply derives from the principle of equal distancing, which ensures the journalist's objectivism, impartiality, which was mentioned at the beginning of the two codes' analysis and which applies to multiple points of view. This manner of fixing an unintentional mistake is considered to be proof of the journalist's honesty. This right to reply applies to any person, even in the case of suspects of crimes who had been called criminals when the news was broadcasted. When presenting a piece of information, it will be taken into consideration whether the accused has already been tried, if he/she has the status of accused, of criminal, and, if not, it must be mentioned that he/she is a suspect, thus respecting the principle of each person's innocence until proven contrary, until the verdict of a court of law is pronounced.⁴⁴ Out of respect for human beings, the journalist must not present images that may shock people, especially children (morbid images) or detail suicides, mentioning the "successful" technique used, or present such matters in a positive manner.⁴⁵ Harassing the deceased's family is also incriminated, because it is considered as being "outrageous".⁴⁶

⁴³ "Any private or public figure who feels his/her name wronged by the broadcasting of incorrect, partial, truncated, or false information, or who considers that the information in question is not actually of public interest, has the right to reply." Runcan, *A patra putere-legislație și etică pentru jurnaliști*, 130.

⁴⁴ *The Unique Deontological Code*, Art. 14: "The journalist is indebted to respect the presumption of innocence, so as that no individual will be presented as having committed something until a court of law pronounces a permanent irrevocable verdict."

⁴⁵ *The Unique Deontological Code*, Art. 12: "The journalist will avoid describing criminal techniques or methods, suicidal techniques, vices, in a detailed manner, he/she will not use violent images and other morbid elements. In addition, the journalist will avoid provoking, promoting, and developing press topics around morbid events. Crimes, murders, terrorism, as well as other cruel and inhumane activities must not be encouraged or presented in a positive manner."

⁴⁶ Runcan, *A patra putere-legislație și etică pentru jurnaliști*, 188.

CONCLUSION

All the points of the above analyzed deontological codes reinforce the responsibility⁴⁷ which the journalist should prove and which refers to:

-Responsibility owed to one's self (to respect deontology in order to be able to accomplish quality activities; to admit one's own mistakes and to rectify them; not to offer superficial information; to offer an exact, complete, and understandable view of an event; to edit information for all age groups; to stimulate communication, understanding amongst people; to defend and promote human rights and democracy; to contribute to the harmony of society);

-Responsibility towards the employer (to respect the law and the institution's rules; not to reveal the company's secrets to anyone else; not to arise the suspicion of a conflict of interests);

-Responsibility towards one's colleagues (not to discredit the profession; to fight for the rights of journalists and for the public's answer to information);

-Responsibility towards one's sources (to verify the information from at least two certain sources before publishing it; to respect data confidentiality; to obtain information by legal means);

-Responsibility towards the public (the language used must be a decent⁴⁸ one, every word must be weight so as not to give the possibility of misinterpreting what is to be

⁴⁷ "Responsibility means, in fact, a certain degree of awakening, which helps you coherently analyze the causes and consequences of phenomena, having you in their middle. In journalism, as anywhere else, responsibility means to start and to end by serving a higher interest." Runcan, *A patra putere-legislație și etică pentru jurnaliști*, 330.

⁴⁸ "Average people are not stupid, however many are uneducated and are not professionally compelled to stay informed all the time. They have difficulties in observing "novelty" because many words and concepts which means of communication use are unknown to them." Bertrand, *Deontologia mijloacelor de comunicare*, 112.

communicated; common words must be used, which can be understood by anyone, because not all of them are intellectuals or specialists in the field which is concerned in the piece of news or information presented; care must be taken not to shock the moral conscience of the public by explicitly presenting violent scenes and morbid images; news addressed to all group ages must be comprised, without cultivating immorality, vulgarity, crime, violence, unrighteousness, and obviously only truthful information should be published). Arrogance, thirst for celebrity, the lack of self-criticism, not admitting mistakes, corruptibility, plagiarism, and vulgarity are the main faults to be avoided by journalists.

Even though the deontological codes of the journalist seem to cover all the aspects which pertain to the profession of the journalist, there are certain aspects which they miss. The omissions of the journalists' deontological codes, omissions which can be reported to the analyzed Romanian deontological codes too, are mentioned by Claude-Jean Bertrand in his works *Deontologia mijloacelor de comunicare* and *Introducere în presa scrisă și vorbită*. Bertrand's action towards pointing out these omissions has as a starting point the observation that codes comprise a lot of interdictions, condemn a lot of behaviors, but they don't contain the necessary ailments for fixing them.⁴⁹ The omissions are seen as a serious mistake, maybe the most serious mistake of journalism deontological codes.

a)The most important omission of the analyzed Romanian journalism deontological codes regards the importance of briefness, of style, of layout, and of illustrations, for presenting a piece of information which is meant to catch the public's interest and attention.

⁴⁹ "Codes condemn a lot and prescribe little; doubtlessly, it is easier for them to agree upon the mistakes which must be avoided rather than upon the virtues which must be practiced." Bertrand, *Deontologia mijloacelor de comunicare*, 97.

b)The second omission concerns the fact that there is no promoting of the novelty which needs to be implemented in the broadcasted information. This omission has to do with encouraging journalists to stand out and do something new, such as doing research, investigations regarding certain important social issues. Almost all means of communication tackle the same kind of topics, or topics from the same sphere. It is undesired to get out of the “consecrated” field, maybe out of fear to loose audience. This is why, for example, most television studios chose to tackle the same important subjects for a whole week, changing only the guests.

c)Another omission Bertrand points out refers to the journalist’s possibility to criticize colleagues from other editorials, reaching a beneficial meditation upon their own professional activity. This happens because, most of the times, the mistakes of colleagues from other editorials are tolerated, each editorial considering that it is independent and should only consider itself. However, it may be possible that a strong reason is that of potential friendships amongst editorials’ journalists, which can be truthful or interested (in order to obtain certain information).

Even though ethical and deontological codes do not stipulate legal sanctions for not respecting the regulations they contain, they are necessary instruments for the education of an institution’s/organization’s personnel, so as the workers to complete their work related tasks as well as possible and so as they may know what type of professional conduct is expected of them. The journalist’s deontological code contains both a series of professional conduct values and rules, which, if put into practice, transform the journalist into a professional, into a professionally integer worker, responsible both for the content of the information presented, and for the language used in displaying it. The journalist’s moral integrity as a mere citizen (the values and principles according to which he/she lives his/her life in accordance with the Constitution of Romania, to

the religious rules), blended with his/her professional one (the respecting of deontological codes' regulations and of the current laws, specific to the journalistic profession in this case) are absolutely necessary for the quality of the services provided and for the professional value of the person as a journalist, as a specialist in communication, in transmitting information to the citizens. If outside working hours a journalist does not love truth, righteousness, correctness, people, if he/she does not have respect for human rights and freedoms, if he/she does not like his/her job, if he/she does not like to communicate with people in order to find out their ideas, but also their problems, if he/she does not like to be the one to keep people up to date with current events, the one who informs them, and, at the same time, educates them through the information presented, and if he/she is not proud of his/her profession, then he/she will never reach the level of practicing quality journalism, professional journalism.

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11. The Universal Declaration of Human Rights (1948)
12. Article no. 254 from the Penal Code of Romania: Taking bribes
13. Law 544/2001, regarding the free access to information of public interest.