



THE JUSTIFICATION OF FREEDOM IN JOURNALISM:
A CRITICAL AND CREATIVE STUDY

MS. JARIYA SORNMAYURA

A Thesis Submitted in Partial Fulfillment of
The Requirement for the Degree of
Master of Arts
in Philosophy

Graduate School of Philosophy and Religious Studies
Assumption University
Bangkok 10240
November, 2000

M.A. (R.S.)
St. Gabriel's Library, An

THE JUSTIFICATION OF FREEDOM IN JOURNALISM:
A CRITICAL AND CREATIVE STUDY

MS. JARIYA SORNMAYURA

**A Thesis Submitted in Partial Fulfillment of
The Requirement for the Degree of
Master of Arts
in philosophy**

**Graduate School of Philosophy and Religious Studies
Assumption University
Bangkok 10240
November 2000**

THESIS TITLE : THE JUSTIFICATION OF FREEDOM IN JOURNALISM:
A CRITICAL AND CREATIVE STUDY

RESEARCHER NAME : Ms. Jariya Sornmayura

THESIS ADVISOR : Dr. Chou Norindr

CO- ADVISOR : Asst. Prof. Warayuth Sriwarakuel, Ph.D.

ACADEMIC YEAR : 2000

The Graduate School of Philosophy and Religious Studies, Assumption University, has approved this thesis as a partial fulfillment of the requirements for the Degree of Master of Arts in **Philosophy**.

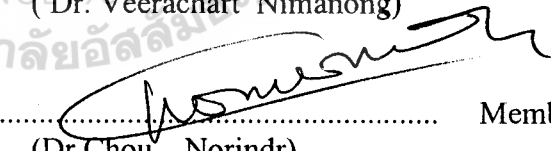


(Dr.Veerachart Nimanong)
Acting Dean of the Graduate School of Philosophy
and Religion

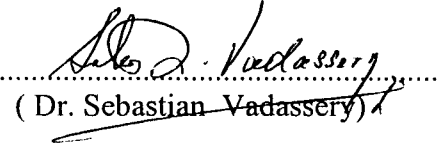
Approval Committee :



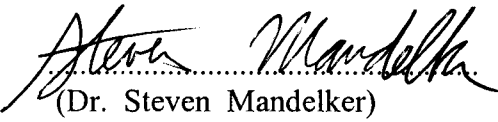
Chairman
(Dr. Veerachart Nimanong)



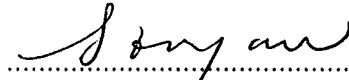
Member
(Dr.Chou Norindr)



Member
(Dr. Sebastian Vadassery)



Member
(Dr. Steven Mandelker)



Member
(Asst. Prof. Somparn Phromtha, Ph.D.)

**Thesis Title : The Justification of Freedom in Journalism:
A Critical and Creative Study**

Researcher Name : Ms. Jariya Sornmayura

Thesis Advisor : Prof. Dr. Chou Norindr

Co-advisor: : Asst. Prof. Warayuth Sriwarakuel, Ph.D.

Academic Year : 2000

ABSTRACT

Journalism is one of the most honorable professions and one of the most exciting works that could be involved in people lives. It spans all other activities and society itself, following new developments, criticizing current issues throughout the world. Tomorrow's society would have positive or negative information, depending upon the talents of a journalist who could explain or report events and ideas. The journalist has a great role to serve the public interest by presenting the truth with freedom and responsibility. Freedom and responsibility in journalism are the aim of philosophical discussion. There are two concepts of responsibility to be explored: legal responsibility and moral responsibility. The terms "legal and moral responsibilities" are explored through three metaphysical concepts of freedom: Determinism (Hard Determinism) Libertarianism (Free-Will), and Compatibilism (Soft Determinism). Hard Determinists like Elizabeth Beardsley and John Hospers believe that all human actions are caused and are determined by past events. So, human beings have no freedom and they should not be held legally and morally responsible for their actions and should not be punished or rewarded, or blamed or praised for their actions. Although Hard Determinists believe that they should not be responsible for their actions in terms of legal responsibility and moral responsibility,

there are some Hard Determinists who believe and think that man could never avoid legal responsibility. Thus, they require legal responsibility. Libertarians or Free Willists like Jean Paul Sartre deny Determinism and view that human beings have freedom and they should be held responsible for their actions, and should be punished or rewarded, or blamed or praised for their actions. Compatibilism (Soft Determinism), David Hume and John Stuart Mill assert that Determinism and Free Will can go together. A Soft Determinist holds that all human actions are caused and are determined by past events like Hard Determinism. They also believe that the actions could be free if they are not under compulsion. Thus, human beings should be legally and morally responsible for only free actions and they should be punished or rewarded, or blamed or praised for their actions. On the other hand, human beings should not be legally and morally responsible for unfree actions and they should not be punished or rewarded, or blamed or praised for their action. The argumentation of freedom and responsibility will be discussed in Chapter II and IV.

To discuss the freedom and responsibility of journalists, it is obvious that this is concerned with the concept of press or newspaper that is based upon the political foundation: Authoritarian Press, Anarchist Press and Democratic Press (Liberal Democratic Press). A new concept of press "Moderate Democratic Press, which promotes social responsibility of journalists, is adopted as a new vision in journalism. The discussion of these issues will be in Chapter III and also Chapter IV. To make clearer understanding about the freedom and responsibility of journalists, there must be a case study in journalism. The controversy about Princess Diana's death is an interesting case study which is explored in Chapter IV according to the concept of freedom: Determinism, Libertarianism and Compatibilism and ethical theories of Mill and Kant.

ACKNOWLEDGEMENTS

Over the years, this thesis has profited from the help of many persons. For their help with this thesis, I would like to express my thanks to Assistant Professor Dr. Warayuth Sriwarakuel, my Acting Dean of Graduate School of Philosophy and Religious Studies, and also my thesis co-advisor. I am greatly indebted to him for his critical thinking and analytical depth in philosophy especially in metaphysics and ethics that helped to sharpen my theoretical focus; and also for his excellent suggestions, and encouragement. Completing this thesis would have been much more difficult without the help of Professor Dr. Chou Norindr, my thesis advisor. I would like to give my gratitude to him for his kind and helpful guidance especially in political science and political philosophy that is very useful for my thesis. My very grateful thanks are also given to Professor Kirti Bunchua, the Former Dean of Graduate School of Philosophy and Religious Studies, who lights up my life with his professional guidance and philosophical mind. I am extremely grateful to Dr. Veerachart Nimanong, not only for his warm and helpful advice but also for his discussion in philosophy and religion. Without his encouragement, my thesis would never have come to a conclusion. I would like to extend my thanks to the faculty members in the Graduate School of Philosophy and Religious Studies, those who have given professional advice and encouragement, Dr. Sebastian Vadassery, Dr. Juan Roman Nieto Del Villar and Dr. Steven Mandelker, A. Charn Mayot, A. Subhavadee Numkanisorn, as well as to Mr. Chume Hanskul, helpful secretary. I owe personal debts to Bro. Sirichai Fonseka f.s.g., the President of St. Gabriel's Foundation, Thailand, who consoled me and lifted up my heart when I was feeling low; Dr. Somsak Leesawadtrakul, the Former President of Thai Mission Foundation, for whom

I used to work; Professor Dr. Peter Collins who taught philosophy to me and sent me some useful books from the USA; Peter Harper, my sincere British friend, who is being supportive and assisted me by sending many good books. My special thanks are also due to Dr. Raman Shashi Kumar, the Deputy Chairperson of Department of English, Assumption University who encouraged me to finish this thesis and thanks for his patient proof-reading of my English. My deepest gratitude to A. Wanida Nanthavanij who has helped me with the polishing of English to make this thesis more presentable. She has also suggested many useful ideas which facilitated my tying up some loose ends. My work on this thesis has benefited from discussion with several colleagues in the Graduate School of Philosophy and Religious Studies and also from professional journalists in various newspapers. I greatly appreciate their comments and would like to express my thanks to them. I am obviously indebted to Assumption University for admitting me as a scholarship student in philosophy.

Finally, I am deeply thankful to Mr. Phubes Sukjam, my youngest brother and invaluable assistant, who has supported me in all things such as selecting material, provide necessary information, also thank for his skillful typing and his patience through the time of my studying. I would never have forgotten to mention my sisters and brothers for their encouragement. Last but not least, I would like to dedicate my work to my mother who was morally responsible for her children, and thank God for giving me life with freedom and responsibility.

Jariya Sornmayura

November 2000

St. Gabriel's Library

CONTENTS

| | |
|---|------------------|
| ABSTRACT | Page I |
| ACKNOWLEDGEMENTS | III |
| CONTENTS | V |
| Chapter I: INTRODUCTION | 1 |
| 1.1 Background and Significance of Study | 1 |
| 1.2 Status of Question | 8 |
| 1.3 Objectives of Research | 8 |
| 1.4 Limitations Of Research | 9 |
| 1.5 Methodology of Research | 10 |
| 1.6 Expectations of Research | 10 |
| Chapter II: FREEDOM AND ITS MEANING | 11 |
| 2.1 The Meaning of Freedom | 12 |
| 2.2 Determinism (Hard Determinism) | 14 |
| 2.3 Libertarianism (Free -Will) | 19 |
| 2.4 Compatibilism (Soft Determinism) | 22 |
| Chapter III: GOVERNMENT AND JOURNALISTS | 29 |
| 3.1 The Concept of Government: | |
| Three Different Attitudes Toward Government | 29 |
| 3.2 Freedom of Journalist: Newspaper | 34 |
| 3.3 The Balance Between Freedom of Journalists and Authority of Government | 42 |
| 3.4 The Political Foundation of Press (Newspaper) | 46 |

| | |
|-----------------------------|----|
| 3.5 The Authoritarian Press | 48 |
| 3.6 The Anarchist Press | 52 |
| 3.7 The Democratic Press | 58 |

| | |
|---|------------|
| Chapter IV: PHILOSOPHICAL DISCUSSION ABOUT THE RESPONSIBILITY OF JOURNALISTS | 78 |
| 4.1 Freedom and Responsibility | 79 |
| 4.2 Legal Responsibility and Moral Responsibility | 82 |
| 4.3 The Responsible Moderate Democratic Government | 84 |
| 4.4 The Responsible Moderate Democratic Journalist | 92 |
| 4.5 The Journalistic Ethics in Society | 95 |
| 4.6 The Controversy about the Death of Princess Diana | 100 |
| 4.7 The Responsibility of Photojournalists in Invasion of Princess Diana's Privacy: Determinism, Libertarianism and Compatibilism | 104 |
| 4.8 The Invasion of Princess Diana's Privacy and Approaches to Moral Reasoning: Mill's and Kant's Perspectives | 115 |
| 4.9 The Researcher's Viewpoint | 121 |
| Chapter V: CONCLUSION | 130 |
| REFERENCES | 140 |
| APPENDICES | 146 |
| AUTOBIOGRAPHY | 157 |

CHAPTER I

INTRODUCTION

1.1 Background and Significance of Study

We live more and more in a Mass Media Society. Mass Media is not only an indicator and evidence of a society but is the cause of social change. The role of mass media is very important to the people because it can reflect positive or negative view. The media is a part of human life. Press is one of the media of communication that has a great role nowadays. The aim of the press is to tell the truth. To serve the truth, or to report the facts to public, the press must have freedom. “Press in the broad understanding should include all products of printing where a visible (and written) message is produced and technically multiplied. Two special areas to be considered are book and publishing as well as the periodical press”(Eilers, 1994, p.70).

According to my working experience in the media, especially in newspapers for more than 10 years, I would like to emphasize in this research the freedom of newspapers. The word “press” in this research, means only a newspaper. The newspaper is a regular part of daily activities of subscribers or readers. The newspaper is probably the first activity while beginning the day. The readers want a publication with which they can identify in content and presentation. The opinion and presentation of papers somehow reflect or influence the stand of the readers. So, the newspaper should realize and determine its role. The problems of the press like newspaper are inevitably philosophical and ethical. The discussion of information concerning the major problems which the world and people face, circulates around the term freedom. The researcher concentrates the discussion specifically on “the

freedom of a journalist who works for a newspaper.” The freedom of a journalist is freedom of opinion and expression which means that the journalist should have a free flow of information in reporting the facts, free from censorship, or independence from government control and regulation of the newspaper.

“Article 19 of *The Universal Declaration of Human Rights* states that everybody 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 regardless of frontiers” (Day, 1997, p. 391). John Milton provided the practical argument for the freedom of journalist “in the *Areopagitica* (1644) he said that if all ideas were freely published, the best newspaper would win out. It followed that men must have the right to know all the facts and arguments. So he rationalized the journalist’s freedom as one of the prerequisites for working democracy” (Merrill & Barney, 1982, p. 27).

What is the meaning of freedom of a journalist? Does anyone have any rights to free speech? Does it mean the freedom of journalists to offer facts and opinions without fear of sanction or persecution? Does it mean the freedom of the journalist to decide what is to be published? Should the journalist print all stories? Does it mean the freedom of ordinary people to receive full and fair information on all issues that concern their lives and their interest? Does it mean freedom of people to protect rights to privacy? What is the scope of freedom in journalism? Is it legitimate to report a story that invades someone’s privacy? Is it legitimate not to tell the truth for a story? What is the justification of freedom in journalism on standard? All these questions go along with the central argument; what is freedom? Is the freedom of a journalist useful or harmful to society? How can we know it? Different theories

have different answers. To criticize and analyze the questions; 1) whether the freedom of journalist is useful or harmful to society 2) what is the justification of freedom in journalism on standard? and 3) how can we know it?, the researcher tries to answer the main question “what is freedom?” What do we mean by the word “freedom”?

Freedom has appeared in the world under various forms. There are several meanings of the word “freedom” which depend on the nature of its freedom. “Freedom is a difficult term to discuss because it is used by social scientists and philosophers as commonly as by political theorists. In each case the concern with freedom is rather different” (Heywood, 1994, p.196). To define the word ‘freedom’ according to this research, the researcher will explore the term freedom in the sense of politics, sociology and philosophy.

In politics, political thinkers have long tried to give the definition of what freedom is, but undoubtedly, it is by no means clear what the term freedom means. Different political thoughts have different concepts of freedom. The researcher points out the concept of freedom in the sense of political content according to Sir Isaiah Berlin’s view. Berlin wrote in the essay “*Two Concepts of Liberty...*” negative freedom is freedom from interference and restraint, and positive freedom is freedom to do or to be something. (Flathman, 1973, p.262) The negative freedom is used in the meaning of the absence of constraint. Human beings are free in this sense if nobody is forcing them to do something against their will. If human beings are in situations that they are not able to act or to do on their own will but are forced to do as others order them to do, it means that they are not free and do not have freedom. “Freedom in the negative sense is often referred to as “liberty” (Hospers, 1967,

p.330). They are acting under compulsion. Berlin claimed to identify a negative concept of freedom as “freedom from something”. The negative freedom is involved in the answer to the question “what a person or groups of persons is (are) able to do or be without interference by other persons? Political freedom in this sense is simply the area within which a man can act unobstructed by others. If man is prevented by other persons from doing what he could do, he is unfree. (Quinton, 1967, p.141-142) Therefore, the freedom in a negative freedom sense is the freedom which consists of the absence of external interference or constraints or restrictions. The Positive Freedom, political thinkers also use the word “freedom” in the positive sense which means the same as “ability” (Hospers, 1967, p.330). In this sense, human beings are free to choose and do something, that is different from negative freedom in which they are free from restraints. The positive freedom is ‘freedom to do something’. Freedom in the positive sense is based upon want-satisfaction or need-fulfillment. A person is free if he or she is self-governing, and unfree if he or she is not. Therefore, freedom is concerned with the question “By whom am I governed? rather than “how much am I governed? Positive freedom relates to the ideas of self-realisation, personal development and the capacity of human beings to act and fulfill themselves. “Man wishes his life and decisions to depend on himself not on external forces of whatever kind. Man wishes to be the instrument of his own, not of other men’s act of will. Man wishes to be moved by reasons, by conscious purposes which are his own, not by cause which affects him. Man wishes to be somebody, not nobody; a doer-deciding, not being decided for, self-directed and not acted upon by external nature or by other men” (Quinton, 1967, p.149). In Rousseau’s view, freedom means self-determinations, the ability to control one’s own destiny. (Heywood, 1994, p.206) MacCullum

proposed the concept of freedom in the form: “X is free from Y to do or be Z”, what are we free from ? and what are we free to do? We may be free from one obstacle but we are not free from others. In this case, X is a man, Y is the law, to do one thing is smoke tobacco but not another. (Heywood, 1994, p.197) No one is completely free in either negative freedom or positive freedom. The degree of freedom and the respects in which human beings are free, vary from person to person and from place to place. Human freedom is not restricted by any doctrine of universal causality. (Hospers, 1967, p.33) To analyze the freedom in the sense of politics the researcher divides political thought into three concepts: 1) political science *2) political theory* and 3) political philosophy*. The term ‘freedom’ in the sense of political concepts can be

**Political Science* is the science of the state dealing with the study of the theory, control, organization, government and use of power over human activities in society. Political Science is essentially method or empirical to describe, analyze and explain government that is concerned with facts or descriptive concept. See Rais A. Khan.1977. *An Introduction to Political Science*. Illinois:Richard D. Irwin,p.3-4 *

Political Theory involves the analytical study of ideas and doctrine that have been central to political thought and is clearly concerned with both normative(ethical and value) and descriptive. * *Political Philosophy* is said to be normative that is concerned with values, the critical evaluation of political thought, paying attention to both inductive and deductive of forms of reasoning (logic) and attempt to clarify the concept and ideas of political discourse. See Andrew Heywood. 1994. *Political Ideas and Concepts: An Introduction*. London: Mcmillan,p.13-14.

either descriptive which describe facts or normative which describe values. It means that the methods that are used to approach the political analysis are based upon the empirical-scientific method of observation and logic concerning reality.

In sociology, freedom is invariably thought of as a social relationship. (Heywood, 1994, p.196) Sociology is concerned with the study of human behavior in group with all aspects of human social life. It explores such questions as why groups form, how they form, and what kinds of relationship exist within and between groups. Sociology is also interested in the dynamics of change in society. A Sociologist uses the scientific method to study human social behavior that is descriptive which describes the facts. The scientific method that a sociologist uses to explain facts includes observation, experimentation, collection and analysis of data. Sociology involves the social determinism which asserts that social relationships cause or influence people's behavior. According to sociological theory, the individual is not the most important within society but it is society that produces the individual because people do not live as isolated creatures, they live in groups and within groups. People are organized into a variety of relationships, groups and organization. "The understanding of social groups and interpersonal relationships is of primary importance to an understanding of human behavior. Humans are social animals. They rely on close contact and nurturing"(Hebding,1992, p.129-130). Human being as an individual lives in society. Human being has no freedom of choice or action because his behavior or action is caused by heredity and environment that is produced by groups, societies, customs, family, schools, tradition, values and so on. Man's social life and social change could be studied by scientific method, therefore human freedom in the sense of sociology means that man is not free.

In philosophy, freedom is usually examined as a property of the will. (Heywood, 1994, p. 196) To define the word “freedom” according to metaphysical concept, the researcher will point out the concept of freedom as follows: Determinism (Hard Determinism), Libertarianism (Free Will) and Compatibilism (Soft Determinism).

Hard Determinism believes that man has no real freedom. (Blackburn, 1996, p.147). Human action is an event that has a cause and is not free, and is considered only in terms of physical causes. (Flew, 1979, p.117) *Libertarianism* opposes determinism (Hard Determinism) that human actions are not governed by causality. (Flew, 1979, p.188). Libertarian or Free Willist believes that man is free, able to choose and act according to the dictates of his own will (Flew, 1979, p.177). A Soft Determinism believes that the concept of free will must involve causality (Flew, 1979, p.118). Soft Determinist asserts that freedom is quite compatible with determinism. (Blackburn, 1996, p.147)

The researcher points out the term ‘freedom’ in the sense of politics, sociology and philosophy. According to this research, the researcher will explore the term ‘freedom’ only in the sense of philosophy (metaphysical sense) because freedom in terms of politics means negative freedom that is, the freedom which consists of the absence of constraint, not the freedom of human being will, almost all political concepts use the scientific method to analyze or describe, that is descriptive and sometimes is concerned about the normative principle. In sociology, freedom of individuals in social life is the ability to choose and enjoy life in relation to others. Individual behavior or action is determined by heredity and environment. So, the human being is not free and has no freedom. All sociological concepts use the scientific method to analyze the facts. In philosophy, freedom is the will of man. It

means that individuals possess ‘free will’ or individuals determine their actions by causality (determinism), that concerns the conception of human nature. All philosophical concepts do not use scientific methods to analyze or criticize the evidences but philosophical concepts always treat freedom as an ethical ideal or a normative principle.

1.2 Status of Question

In the concept of the freedom of journalists, journalists have the freedom of opinions and expressions. If journalists have a high standard of reporting the news content accurately, free from bias and present it fairly, it would have a positive effect on the public’s perception of the newspaper’s credibility. On the other hand, if journalists present a biased reporting, omit important facts or hide the truth that the public has the right to know, then it would have a negative effect on society and individuals. But sometimes journalists abuse their freedom in violating the private life of people or their rights to privacy. (Case of Princess Diana is not respected by the journalist.) Therefore, it is incumbent on philosophers and journalists to delimit the boundary of the freedom in journalism. People always ask “Is the freedom of journalist useful or harmful to society?. What is the justification of freedom in journalism on standard? And how can we know it?”

1.3 Objectives of Research

1. To inquire into the meaning of freedom according to the three metaphysical theories : Determinism (Hard Determinism), Libertarianism (Free-Will) and Compatibilism (Soft Determinism).

2. To analyze freedom in journalism according to Authoritarianism, Anarchism and Democratic Concept.
3. To criticize the concept of press by disagreeing with Authoritarian and Anarchist Concept and agreeing with Democratic Concept .
4. To contribute the new concept of press “ Moderate Democratic Concept”.
5. To criticize the freedom of journalists whether it is useful or harmful to society.
6. To analyze the responsibility of journalists according to Determinism (Hard Determinism),Libertarianism(Free Will)andCompatibilism(Soft Determinism), and according to the perspectives of Mill’s Utilitarianism (Teleology) and Kant’s Deontology

1.4 Limitation

This research confines the discussion to the concept of freedom of press, specially to the freedom of journalists. The researcher would like to focus her analytical research about the press concept and limit the scope to only the concept of Authoritarianism, Anarchism and Democratic Concept, and also focus her critical research about freedom and responsibility and limit the scope to only the metaphysical theories of Determinism (Hard Determinism), Libertarianism (Free-Will) and Compatibilism (Soft Determinism) and the ethical theories of Mill’s Utilitarianism (Teleology) and Kant’s Deontology

1.5 Research Methodology

The investigation of this research begins with a documented description, which will be followed by analysis, evaluation, criticism and creativity. In order to get into the relevant sources, data from Assumption University, Ramkhamhaeng University, Journal of Philosophy, Journal of Communication, Books from the U.K and the U.S.A., Internet, and Journalists are appropriated with critical selection.

1.6 Expectations

1. To acquire better knowledge about the freedom and responsibility in journalism's concept.
2. To have clearer understanding of argumentation on the concept of freedom through metaphysical theories: Determinism (Hard Determinism), Libertarianism (Free -Will) and Compatibilism (Soft Determinism)
3. To assist the readers to have clearer understanding of argumentation on the concepts of press: Authoritarian Press, Anarchist Press and Democratic Press (Liberal Democratic Press)
4. To contribute a new vision of the press 'Moderate Democratic Press'.
5. To assist the readers to realize the influence of the freedom of journalists in daily life through the ethical theories of Mill's Consequence Based Theory and Kant's Duty Based Theory
6. To stimulate more research on the freedom of journalists.

28573 .e-1

FREEDOM AND ITS MEANING

Journalism is an honorable profession, because it has an honorable aim, the circulation of information, including news, opinion and comment to public. The journalist has an active role as an independent communicator; provide information which the public has a right to know. The journalist has a great role to serve the public interest by reporting the truth. In theory, the standard of journalistic truth is that the reporting of a story must be accurate, apart from being accurate; a truthful story should promote understanding, and a truthful article must be objective, fair and balanced. The readers or public expect journalists to be unbiased, to report the truth, and as many of the known facts as possible that are important to the story. But in practice, the question becomes how much truth is good for the public. Reporting the truth is said to be 'at the heart of journalism'. To serve the truth journalists must be free of obligation, and censorship. "The Society of Professional Journalists, Code of Ethics, 1973 states that the public's right to know of events of public importance and interest is the overriding mission of the mass media" (Belsey & Chadwick, 1994, p. 92).

In a democracy, journalism is expected to serve the public interest, which means that it should accept the responsibility to circulate the information and opinion. If journalism is to serve the public interest, then a commitment to truth-telling is fundamental. Journalists should also be fair and accurate in reporting news, should publish corrections, should offer a right of reply. They

should avoid discrimination, deception, harassment, betraying confidences and invasions of privacy. (Edwards, 1967, p. 126)

Freedom itself means a lack of limitation or restraint. Freedom and journalists coexist and support each other through a process of reporting the truth in the public interest. We do not know absolutely what the justification of freedom in journalism is. We do not know exactly what the standard of a virtuous journalist is and what the measurement in standard of telling the truth is. Some say that the journalists write a story as self-expression, what they communicate is what they please or displease themselves, and they often violate or threaten to violate moral rights, especially the right to privacy and not to be liable to libel suit. For example, it is obvious that the press did not respect the right to privacy of members of the royal family and of Princess Diana. As we have known that long-range cameras were used by the paparazzi to provide the press with photographs of Princess Diana at home, on holidays, and so on. Some may say that journalists do not have full freedom of expression and freedom of opinion, because the role of press or journalists is controlled by the government. In this research, the researcher would like to begin with the question: What does the word “freedom” mean?

2.1 The Meaning of Freedom

The work required of the press in the interest of the society shows that the work of journalists demand high qualification, strong commitment to public and complete integrity. Freedom of information and opinion is the first basic human rights. That freedom must be especially protected for those working in journalism. Free journalists are essential to freedom of information and opinion among people.

For journalistic philosophy, the word “freedom” is basic to an authentic journalistic orientation.

What do we mean by the word “freedom”? According to this research, the researcher will explore the meaning of “freedom” only in terms of philosophy. When people talk about the word “freedom” or “free-will”, it must be involved with the word “determinism”. The issue of free-will and determinism is not only one of the most significant issues in philosophy, it is also one of the most complex. The problem is how to decide between free-will and determinism. My aim in this chapter is to explain the basic positions concerning man’s freedom. What is meant by the word freedom according to free-will and determinism points of view. What are the reasons for accepting and rejecting free-will and determinism. Which type of freedom requires legal responsibility and moral responsibility? The researcher will show some arguments for different types of each meaning. Philosophers commonly divide the issue of free-will and determinism into three theories of thought as follows: Determinism (Hard Determinism), Libertarianism (Free-Will) and Compatibilism (Soft Determinism). Human beings often demand freedom. But some deny human freedom because they believe that every event must have a cause and all human actions are events, so all human actions must have a cause. It means that all human actions are caused or determined by the law of nature. Those who believe in this theory are called “Determinists” or “Hard Determinists”. Some believe that human beings have freedom of the will or free-will. Man is free, able to choose and act according to his own will. Those who believe in this theory are called “Free-Willists” or Libertarians”. And some may believe that the concept of freedom must involve

caused ability, that is, human freedom and determinism are compatible positions.

Compatibilists or Soft-Determinists are those who believe in this theory.

2.2 Determinism (Hard Determinism)

Determinism is the philosophical and scientific theory which holds that every event has a cause. Determinism is the principle of causation. All human actions are events. Every event is determined by the laws of nature or an antecedent event. Any present event, including human action is caused by an antecedent cause. “Determinism is a metaphysical theory, it has to do with what is, with what exists in reality” (Hospers, 1967, p. 328). Hard Determinists hold that everything happens with physical law, our human action is caused by a variety of factors inside and outside human being... and show that the action of the human organism is fully subject to laws of nature and human action is the result of cause which is brought by heredity and environment (O’Hear, 1985, p. 234). The belief that man’s actions are the result of antecedent cause has been formulated naturalistically. The naturalistic view sees human beings as a part of the machinery of the universe. In this world, every event must have a cause. Since man is a part of the causality, his actions are also determined by antecedent causes. Some of these causes are heredity and environment. “Human beings grow out of their characters which is shaped and made by influences: heredity and environment that are not their own making or choosing” (Solomon, 1985, p. 439).

To believe that everything that happens in the universe has a cause is to believe in the Causal Principle or it is called Determinism. What kinds of causes are there? “Determinist does not say what kinds of causes there are: they could be

anything, *Theological Determinist* says that everything is caused directly or indirectly by God. *Scientific Determinist* says that everything that happens is the result of prior causes in the natural world. *Machanistic Determinist* says that everything that happens is caused by events and conditions in the physical world (Hospers, 1997, p. 147). Determinist does not say whether the cause is mental or physical whether it is determined by people or God...only says that every event has a cause of some kind, whether we ever find out what it is or not (Hospers, 1967, p. 323). If every event is determined or is caused by many factors, how can a human being be free? And how can anyone be responsible for his action? According to the theory of determinism, everything human beings do is determined by what has happened in the past such as heredity, environment, habit patterns and so on. So human's choices are not free. If human beings do not freely choose to do things, then they are not legally and morally responsible for any of their actions. "For determinism, every event requires certain antecedent conditions and certain action. There is no chance, no choice. Therefore, there is no human freedom. Without choice, there can be no freedom, and without freedom, there is no reason to hold a person responsible for his action (Solomon, 1985, p. 422). This means that if a man can choose only one way of action, there are no alternatives to choose. A man has no choice. So, he has no freedom. According to the Hard Determinist, if a man makes a choice between A and B and he chooses A, then what he chooses is already determined by causes, he has to do it and it could not be otherwise.

An example of Determinism

In daily life when we say someone is free, it means that they are never free from causation. We always assume that events have causes. We mean only that

human actions are caused by something in a certain way. It seems obvious to us that human actions can not be freely chosen actions. We can see the evidence from every day life that supports determinism. Supposing that one day Mr. J goes to work and starts to turn on his computer. The computer will not work as usual, Mr. J fails to find anything out of order, then he phones the sales representative of his computer. Someone from the Computer Company comes and checks it. But the computer still does not work. Nobody finds out the cause of this problem; but this is one of the situations which is relevant to determinism. If Mr. J and the salesman from the company take the alternative of determinism, they believe that there must be some causes that the man has been unable to discover. We can predict the cause by scientific theories about the laws of nature which explain how things are determined to happen.

The Hard Determinist Argument can be stated as follows:

First Argument;

Every event has its cause.

Human actions are events.

Therefore, every human action has its cause (Solomon, 1985, p. 421).

Second Argument;

Every human choice or action has its cause.

To have its cause is not to be free.

Therefore, no human choice or action is free (Solomon, 1994, p. 220).

The above arguments mean that all human actions cannot be uncaused, for nothing can happen without a cause, nothing cannot cause something. Human actions cannot be self-caused because it is impossible that each action would have to cause itself.

Therefore, the only way is that all human actions must be completely caused by something. And there is no choice, no chance for human beings to be able to choose or do.

Here is the Determinist argument of freedom and determinism

Third Argument

Either human beings have freedom or their actions are caused by some factors.

If human beings have freedom, then they are not part of the causation.

But human beings are part of the causation.

Therefore, human beings do not have freedom.

If determinism is true, human beings can never do other than they do; so, they are never responsible for what they do. It seems to the researcher that when we say that Hard Determinists believe that man should not be responsible for his action, then what do we mean by this responsibility?. Which type of responsibility is required for Hard Determinists? There are two concepts of responsibilities: legal responsibility and moral responsibility. It seems to researcher that there are two viewpoints of Hard Determinist about the freedom and responsibility. Some believe that man should not be responsible for his action both in terms of legal responsibility and moral responsibility because all human actions are caused and conditioned which means that man is not free. For example, Mr. C killed his friend because he wanted money from him. According to the determinist doctrine, Mr. C's action was caused and conditioned. We could not punish or blame him. If anyone or society tries to punish him by the rule of law (legal responsibility) or blame him by the moral rule (moral responsibility), he would think that it is unfair. But some believe that man should not be responsible for his action only in terms of moral responsibility , but he should be

responsible for his action in terms of legal responsibility. Mr. C's action was always caused and conditioned which means that he acted unfreely according to the determinism. When we say that Mr. C should not be responsible for his action, it does not make sense. These determinists can accept that man should not be responsible for his action in terms of moral responsibility, but they think that man can never avoid legal responsibility. Thus, man requires legal responsibility. When Mr. C kills his friend, we do not blame him but we punish him by the rule of law because he harms other.

It seems to the researcher that some Hard Determinists do not require legal responsibility at all, but some require it. The researcher thinks that if it is possible to have legal punishment (responsibility) for the determinist theory, it would decrease harm in society. It will be useful at this point to summarize the premises and assumptions of the argument as follows:

Fourth argument:

The doctrine of determinism is true.

If the doctrine of determinism is true, then there are no free actions.

Therefore, there are no free actions.

Fifth Argument

There is no free action in determinism.

If there is no free action, then no one is responsible for his actions.

Therefore, no one is responsible for his actions.

2.3 Libertarianism (Free -Will)

When people think of freedom what they tend to have in mind is an existence of freedom. It is the freedom that humans possess when they are able to do as they please or wish. Without freedom, there could be no morality. Without freedom, some often say life would hardly be worth living at all. Why is freedom so important to human beings? Do human beings have free- will? And what is freedom according to Libertarianism? In terms of philosophy, Libertarianism or Free -Will is the opposite of Determinism. Determinism is the principle of causation but Libertarianism depends on the freedom of choice that happens without cause. “Libertarianism denies that all human actions are caused and the doctrine of Determinism is false” (Kaplan, 1977, p 163). The Libertarian believes that human beings have free-will and that people are responsible for their free action (Hall & Bowie, 1986, p. 379). Human beings are able to choose and act according to the dictates of his own will (Flew, 1979, p.117). The Libertarian or Free-Willist believes that man has freedom and man also is free, and human action comes from his freedom or free- will which is true. (Sriwarakuel, 1996, p. 127). Human beings are rational beings. This means that in daily life, when they face many conditions and situations with choices, they are able to choose and decide for themselves what to do or what not to do based on reason, their choices are not determined by causal factors. Taking what they know, what they value, and the present circumstances, they are able to use the laws of logic to determine what they should do or should not do. A human being decides on the basis of facts and logic.

Human beings are not actually free unless they possess the freedom to choose between different alternatives. This is called “freedom of choice”. A person who

deliberates about whether to do A or B must believe that it is in his power to do A and in his power to do B. If he believes that one of these things is not in his power, then he is not deliberating about whether to do A or B. All men who deliberate must believe at the time of deliberation that they perform free action (Cornman & Lehrer, 1974, p. 165). Suppose that Mr. A is choosing between alternative X and Y, then to choose X rather than Y is an exercise of freewill.

An example of free- will:

Mr. A. finishes his high school. He faces with a choice: starting the year at university or traveling overseas. He thinks about the advantage and disadvantage. He worries, can not sleep but finally he is able to choose and decides to start the year at university: his action is totally free because it comes from self-determination, not because he is consciously forced by someone else. For the one that has to make the decision, determinism is not relevant. "Sartre says that man is free, man is freedom. A man is not free when his action is under compulsion, when he cannot help himself. He has lost his self-possession"(Kaplan, 1977, p. 298). Believing in free will has the following consequence: human beings are morally responsible for their actions. "Libertarianism is the view that moral choices are in general free; that is uncaused (or self-caused) therefore, human beings are justified in holding people morally responsible for their actions" (Kahane, 1983, p. 49). Being responsible for something is being rightfully subject to reward or punishment, or praise or blame for that something (McInerney, 1992, p. 116-117). Being able to choose either to do or not to do an action is necessary for being responsible for it.

"Human beings are free and responsible for their lives. When they do bad things, it's their own fault and they should take the punishment, either society's or

God's (Freezell, 1989, p. 56). Human beings can be praised and congratulated for what they do. Philosophers believe that human beings are responsible only for those actions that they have choices either to do or not to do, or to will or not to will. What they do is up to them. They are in control of their actions, so they must be held responsible for it. Which type of responsibility is required for Libertarians (Free Willists)? Libertarians or Free Willists believe that human beings should be legally and morally responsible for their actions. This means that Libertarians could never avoid legal and moral responsibility, they would be rewarded or praised for their good actions and would be punished or blamed for their bad actions. Thus, the Libertarian theory requires both legal responsibility and moral responsibility. "Free-will is acquired for moral responsibility" (Minton & Shipra, 1990 p. 256).

The Libertarian (Free- Willist) argument

First Argument

If determinism is true, then there is no free- will.

There is free- will.

Therefore, determinism is not true

Clearly, this argument is valid. If the premises are true, then the conclusion must be true.

Second Argument

If the human being has a free- will, then his action is free.

If human action is free, then he is responsible for any of his action.

Therefore, if the human being has a free- will, then he is responsible for only his action. (The argument is valid.)

The first argument of free willist states that if determinism is true, people have no control over anything they choose to do. Human choices are all causally determined. So, humans have no free will or no freedom. But according to libertarianism, humans have free- will and do not feel compelled to act at the time of a decision. Humans feel that they have other choices. The second argument shows the relationship between free-will and moral responsibility. If humans do not have the former (free -will) then they do not have the latter (moral responsibility).

2.4 Compatibilism (Soft Determinism)

The argumentation between Determinism (Hard Determinism) and Libertarianism (Free-Will) is one of the problems in philosophy. The terms Compatibilism or Soft Determinism has come about as compromises between the Libertarianism and Determinism. “Compatibilism or Soft Determinism believes that Libertarianism (Free-Will) and Determinism are compatible” (O’Hear, 1985, p. 237). The two concepts of Libertarianism and Determinism are inherently contradictory and cannot be reconciled. A Free Willist can not accept the doctrine of physical causality of determinism by believing the existence of human actions or all events are outside of the law of nature or the law of science. On the other hand, a Determinist points out that the only real world that human beings really know for sure exists is the physical one, in which causality is a fact of science. But a Soft Determinist tries to combine the best of two positions. The Soft Determinist accepts the determinist’s argument that is everything is determined according to physical law, and also accepts the free will’s argument that human being can still be free in so far as he can still act voluntarily. “The basis of Soft Determinism is free action must also be actions that

are determined by antecedent conditions and causes. Free as well as unfree acts are caused according to the determinist argument” (Solomon, 1985, p. 437). Human action is free when it is not compelled or done under compulsion. “Only some human actions are compelled, compelled actions are all caused, but not all caused actions are compelled” (Hospers, 1967, p. 329). There are two kinds of compulsions; internal and external” (Kahane, 1983, p. 56). For example of *internal compulsion*, Mr. P has been sick and taken some aspirins. After that he falls asleep. This event is caused and Mr. P does not have the option to choose, he should sleep or should not sleep. His action is forced or compelled by physiological force or by the body cause. For example of *external compulsion*, Ms. G gets angry with her son, Bob because the television is broken by him. Ms. G punishes him and does not let him go outside, only stay at home. Bob is not able to go anywhere, even to school. According to this situation, this event is determined by cause and Bob’s action must also have a cause. But his action is not free because it is compelled by his mother that is, external force. A human being is responsible for the result of the free action that occurs from self-caused, but he is not responsible for the result of unfree action that comes from external force. The researcher will make clear about the meaning of the word “human action”. According to Soft Determinism or Compatibilism, there are two meanings: free action and unfree action. Human beings are able to act freely and unfreely. They act freely when they do what they want and choose to do, and they act unfreely when their actions are forced. In Soft Determinism, human actions are caused but are not compelled. For example: Mr. X would like to donate 1,000,000 baht to the Christian church because he believes in God and believes that it is very important for

him to serve God this way. Nobody has asked him to do it. Nobody has convinced him to donate; and nobody has forced him to do.

How does the Soft Determinist think about Mr. X's action? Is Mr. X's action determined according to Determinism? Can Mr. X's action be performed as a free action according to Libertarianism? Mr. X's action is not forced or compelled by anyone or anything. His desire to donate is the cause of his donation. His action is self-caused, is not determined. The Soft Determinist would say that his action is free. The Soft Determinist would say that his action that he wants to donate money is caused or determined by antecedent conditions according to Determinism. And the Soft Determinist would say that his action is free from compulsion, he is not forced by anyone or anything else. Mr. X has free-will according to Libertarianism, therefore, he could be, rewarded or punished, or praised or blamed for what he does, that is he is legally and morally responsible for his action. For the Soft Determinist, all human actions are caused but not every human action is free. Only some human actions are free, that is, free from external force and some human action are not free. Those are forced by external cause or under compulsion. Which types of responsibility is (are) required for Compatibilists (Free Willists)? According to Soft Determinism, human action's view has two meanings as follows: 1) all human actions are caused and free. 2) all human actions are caused and unfree. The Soft Determinist asserts that human beings should be held legally and morally responsible for all free actions and would be rewarded or punished or praised or blamed for their actions. On the other hand, human beings should not be legally and morally responsible for all unfree actions and would not be rewarded or punished, or praised or blamed for their actions. Consequently, the Soft Determinist theory requires both legal and moral

responsibilities for free actions, but does not require any responsibilities for unfree actions.

The examples of the free actions and the unfree actions

Free action: Mr. Black rapes a girl because he needs to have sex.

Unfree action: Mr. Black rapes a girl because he is forced by his friend to do so.

Free action: Ms. White gets married to Mr. Grey because she really loves him.

Unfree action: Ms. White gets married to Mr. Grey because her parents force her to do.

“Acts freely done are those whose immediate causes are psychological states in the agent (internal). Acts not freely done are those whose immediate causes are states of affair external to the agent” (Kahane, 1983, p. 351). Compatibilism or Soft Determinism holds that every event and human action is caused and goes together with freedom. There are three principles that lead to Soft Determinism

- 1) determinism is true, so that all our choices and actions are determined by past circumstances,
- 2) all actions determined by past circumstances can be free if they are not compelled actions,
- 3) human beings are legally and morally responsible only for free actions (Kahane, 1983, p. 50, 57).

Thus, for a Soft Determinist, human beings have freedom and freedom exists. But freedom is limited by the circumstances or situations.

In summary, a journalist has a duty to maintain the highest professional and ethical standards. The role of a journalist whether he is working for the print media or broadcast, follows the tradition of its role as providers of information. A central

argument of the role of journalism is concerned with freedom. A journalist needs freedom to serve the truth to the public, that is the basic principle of journalism. A journalist needs freedom to learn and reports the facts. Therefore, a journalist must be free of any obligations and free from restraint. A journalist who uses his professional status as representative of the public should be more concerned about freedom and responsibility. When we speak about the freedom of a journalist, basically we must know what that freedom is. The researcher has attempted to explore the meaning of the word “freedom” in terms of philosophy. There are three basic doctrines concerning human’s choices and freedom.

Hard Determinism is the doctrine of universal causation. Every event must have a cause. It means that every thing that happens in the universe is determined or caused by heredity and environment according to the laws of nature or physical law. Whatever humans do, are caused to do, and the causes that cause them to do it are the causes of the past events that happened before the present events. Human actions are also events in the universe. Hence, every human action must have a cause. We can say that most of the evidence of determinism in daily life consists of scientific method findings about human actions. Hard Determinism denies freedom of choices; and holds that freedom does not exist. Without human freedom, no one should be held responsible for what they do. Those who believe in the deterministic world are called Determinists or Hard Determinists.

Libertarianism (Free- Will) believes in free will and rejects Determinism. This doctrine holds that human beings have freedom of the will. All human actions exist without cause. Human beings have freedom of choice to choose between different alternatives, they choose to do or not to do voluntarily and their actions are not

determined by causal facts. To believe in free- will, human beings must be held responsible for their actions. Anyone who believes in free- will is called a Libertarian or Free Willist.

Compatibilism (Soft Determinism) believes that Free-Will and Determinism are compatible or can go together. Those who believe in this doctrine are called Compatibilists or Soft Determinists. Soft Determinist accepts the doctrines of Determinism, that is, every event has its cause, human action is an event, therefore every human action has its cause. The Soft Determinist also accepts free- will, that is, human beings have freedom if they act freely without compulsion. But the freedom according to Soft Determinism is limited, which depends on the situations or circumstances. When human beings act freely, they do what they want, for Soft Determinist they should be responsible for their actions, that is, they could be punished, blamed, congratulated and so on. We have looked at freedom through the terms of Hard Determinism, Libertarianism and Compatibilism (Soft Determinism). We have known what it means to be free. According to this research, the researcher will apply and analyze the meaning of freedom only in terms of “Compatibilism or Soft Determinism” in following chapters that are relevant to the freedom of journalist.

Why does the researcher agree with Soft Determinism and disagree with Hard Determinism and Libertarianism? Because the meaning of freedom in terms of Hard Determinism concerns the scientific theory about the laws of nature which explain how things are determined to happen. For Hard Determinism, human beings have no freedom, freedom does not exist. Therefore it could not be applied or analyzed in this research. This research explores the freedom of journalist, who must have freedom, that is, freedom must exist. For Libertarianism, although Free Willist asserts that

human beings have freedom and freedom exists, this research points out about the freedom of journalists who must have freedom of expression but the freedom of journalist is limited by situations, it may be from obligation, government censorship and so on. Therefore, the meaning of freedom according to Libertarianism cannot be applied and analyzed in this research. For the Soft Determinism, human beings have freedom, that is, freedom exists but only limited freedom, in some situations by time, place and ability. The researcher could apply and analyze the freedom of journalist in this sense because we can not say that journalists have absolute freedom. In some situations, a journalist is not free from restraint, compulsion, censorship of government, or a politician or other factors. The journalist has limited freedom that is caused by external force. Therefore, if a journalist acts freely without compulsion, he will be responsible for his action. On the other hand, if a journalist acts unfreely due to compulsion, he will not be responsible for his action.

CHAPTER III

GOVERNMENT AND JOURNALISTS

3.1 The Concept of Government:

Three Different Attitudes Toward Government

If a society's media system is based upon its political philosophy, we must also consider that a society's political system is based upon its philosophy of the nature of human beings and of the relationship of the people to the government. There are two basic views about the nature of humankind that lead to the establishment of a governmental system. The first, people are weak and need well structured and disciplined society. This view of humankind leads to the establishment of an authoritarian government. The second view holds that people are rational, fair and honest, freedom seeking, and need less structured and less dominating. This view of humankind represents a democratic government. (Wood, 1983, p. 34) These two basic views of human nature are very important to consider the relationship between the people in society and the government which means the relationship between journalism and government. Press philosophy, press system, and press regulations depend on the political atmosphere of a particular society. If a society has an authoritarian system, it will be an authoritarian press. On the other hand, if a society has a democratic system, it will be a democratic press, What press philosophy do we accept? What is the best press philosophy? And how do we determine it? To answers all these questions, the researcher would like to begin with the concept of the word "government" according to the three philosophers.

“The term government is often used in two related but distinct senses, it refers to the body of people and institutions that make and enforce laws for a society... different societies require different kinds of government to satisfy their special needs” (Ranney, 1990, p. 8). The government plays a major role in everyone’s life who lives in the society. The role of a government is very different in different societies. When people are born, they live in a government regulated system. Government protects people against abuse by their parents. Government makes people go to school whether they like it or not. People set up businesses, take and leave jobs, buy and sell property according to rules and regulations of the government. People marry and divorce according to rules made by the government.

There are basically three concepts of government regarding the social contract. One argues that virtually all governmental power is given to the monarch so that he could keep order in the society. This is Thomas Hobbes’s view. A second claims that the people are most free and the government is to be used for the purpose of protecting those rights. John Locke is the social contract theorist of this concept. The third argues that the people should rule directly and should form a new society that is called “a community”. There are no limits for people’s will. The people are the ultimate source of the government and its power. They are able to dissolve the government when the government does no longer suit their purposes, Jean Jacques Rousseau is the political philosopher who has an attitude towards this view. (Baradat, 1984, p. 17)

Thomas Hobbes is a British philosopher and political scientist. Hobbes is one of the best known and most influential social contract theorists. Hobbes believes that monarchy is the best possible form of government. According to Social theory, human

beings usually live together without government, they have “natural” rights which derive from the law of nature. Every human being searches only to satisfy his own needs and desires. Therefore, Human being’s life is poor and short. (Rodee, Anderson & Christol, 1967, p. 26) In *Leviathan*, Hobbes’s major work, he says that man has no pleasure. The life of man remains solitary, poor, nasty, brutish and short. Man should surrender his natural rights to a sovereign power which is a monarch, in order to exchange for security (Abbott, 1947, p. 5). Hobbes views that human beings are not happy. They are basically self-serving. Although they are rational but they are not in control of their own destinies because they fear death. According to Hobbes’s pessimistic view, human beings are chaotic and irresponsible. (Baradat, 1984, p. 65) Human beings are so anxious to achieve safety, peace and voluntarily surrender all their natural rights to the government. The governmental power is given to the monarch so that he will keep order in the society. Hobbes believes that human beings have freedom but limited. Happiness is possible only if they surrender their freedom to a monarch or royal power. Hobbes has antidemocratic attitude. (Baradat, 1984, p. 66) Hobbes is essentially authoritarian. (Anderson & Christol, 1967, p. 28)

John Locke is one of the best known social contract theorists like Hobbes. Locke is a British philosopher, whose thought is the foundation for liberal democracy. *The Second Treatise of Government* is one of his major philosophical works which presented political philosophy in the point of the state of nature. He shows his view toward government. “The Second Treatise asserts that man is free and every man is equal... man has a right to life, and a right to liberty so long as his actions do not infringe the natural rights of others” (Flew, 1979, p 192). Locke is very optimistic about human nature and believes that people are most free when they are out of

government control; his philosophy is the most specific about the individual's right. Locke believes that human beings are rational moral beings. Human beings keep almost all their liberty and the government is to be used for the purpose of protecting their rights. Locke clearly expects that government would be limited and government should never become more powerful than the individuals. The purpose of government is to serve people. Most people could act fairly and efficiently by themselves and government should not interfere with the individual. Locke's freedom means the absence of governmental restraints on the individual. (Baradat, 1984, p. 73) According to Locke's view, the government is created by society; society is created by a contract among all individuals who want to join the society. The power of the government is derived from people. Locke believes that people are capable of knowing what is good for them. People should be governed by a Parliament elected by citizens who own property. We may say that Locke's philosophy is essential to the development of liberal democracy.

Jean Jacques Rousseau is a political and educational philosopher. Rousseau's political idea is the general will rather than the social contract. "Rousseau's government is completely and directly democratic, based on a general will...the individual surrenders himself and all his rights to the whole community" (Rodee, Anderson & Christol, 1967, p. 26). Rousseau believes that people want to improve and make themselves better. Therefore, people are compelled to form a community which has a moral code that makes human perfection possible. Rousseau writes that "man is born free, and everywhere he is in chains" (Rousseau, 1947, p. 191). The formation of the community does not necessarily lead to a good life, it only makes a moral life possible.

According to Rousseau, people should form a new society to which they would surrender themselves completely. By giving up their rights and power to the group, the society would become an organism in which each individual contributes to the whole. By giving up their individual power, people would gain a new kind of equality and a new kind of power. This new society would actually be a person or a public person which would be directed by the general will, that is the combination of the wills of each person in the society. The general will could do no wrong because it would create the right. It could not be bad because it would determine what is moral. The general will will also make individual freedom possible. Freedom, according to Rousseau, means doing only what one wants to do. When people join the community they voluntarily agree to comply with the general will of the community. The general will created by the majority of the citizens cannot be wrong. Since the individual agrees to live by the general will, those who are in the minority are expected to comply with the will of the majority. If those in the minority refuse to follow the general will, they are violating their own will and thus are refusing to be free. (Baradat, 1984, p. 76-78)

Rousseau rejects the idea of parliamentary or representative democracy. “Rousseau’s government is direct democracy...and is authoritarianism like Hobbes” (Rodee, Anderson & Christol, 1967, p. 28). The researcher has pointed out the different attitudes toward government of the three philosophers, Hobbes, Locke, and Rousseau. Each believes that people are capable of understanding natural law and of organizing a government that serves their interest. Hobbes thinks that an absolute monarchy is the best possible form of government and would best suit the need of the

people. Human freedom is possible only when the individuals in society surrender themselves completely to the monarchs. Locke favors a parliamentary republic in which the government has little power, only support and protect individual rights. For the human freedom, people are free when they are left alone without government control. Rousseau views that community is the new society for people and general will is created by the majority of citizens in the community. He opposes representatives government, thus he favors a direct democracy. According to Rousseau, human freedom could be achieved only through the community that is individuals surrender themselves to the community or general will.

3.2 Freedom of Journalist (of Press) : Newspaper

When we think of journalism, we think of media of mass communication, mainly newspapers, magazines, radio and television. Further, we think of activities by these media which are related to news presentation, a concern with informing rather than with entertaining. *There are various kinds of journalism depending upon its media and its role such as newspaper journalism, TV journalism and radio journalism (or broadcast journalism). According to this research, the researcher will explore the freedom of journalist only of the newspaper journalist. What do we mean by “the freedom of journalist (or freedom of the press)?” Why is the freedom of journalist very important to society at large? To answer these questions, the researcher would like to clarify the meaning of the terms used such as media, mass communication, press, newspaper and journalist or journalism. The term “*Mass Media*” means the media that broadcast their message to large numbers of receivers with whom they have no face to face contact. The most prominent media in this category are

television, radio, newspapers, movie, magazines, and books. (Ranny, 1990, p. 150)

The term “*Mass Communication*” means the technologically and institutionally based mass production and distribution of the most broadly shared continuous flow of public messages in industrial societies (Eilers, 1994, p. 62). The term “*Press*” means the print media and even more specifically newspapers. Speaking about press sometimes includes only the periodical press. But press in the broad understanding should included all products of printing where a visible (and written) message is produced and technically multiplied. Two special areas to be considered are book and publishing as well as the periodical press. The periodical press refers to all publications which are published in regular intervals under the same title for the same readership. If these publications are daily or almost daily, they are considered as newspapers whereas the others might be call periodicals. (Eilers, 1994, p. 74, 79) The term “*newspaper*” is normally published daily or according to UNESCO standards at least four times a week (Eilers, 1994, p. 79). To make clearer understanding about the term “*newspaper*” which is related to this research, the researcher would like to clarify the newspaper globally.

Nobody really knows how many newspapers are published throughout the world. There are estimates, which UNESCO and other organizations from time to time put out figures. It is reasonable to say that at least one-third of all newspapers are found in North America. Another third are in Europe (including the former USSR), and the other third are scattered throughout the rest of the world (Merrill, 1983, p. 36-37). The newspaper is the great power and influence in creating and changing world opinion. The newspapers are a kind of institution. They have been as the protectors and promoters of the public rights and welfare. They have been as the

guardians of the peoples' freedom. The newspapers have responsibility to present news or information fairly and accurately, and should distinguish clearly between comment and fact. The newspapers are now part of our daily life. Today, more information is disseminated faster and more accurately than ever before. The standards of reporting and the sense of responsibility have improved immeasurably. Although the newspapers are very important for people's lives, newspaper are being hurt everywhere in the world by the high costs of newsprint, restraints on press freedom or freedom of journalist, and difficulties with trade unions and governmental control. Advertising and subscription rates do not cover the production costs. So there are serious financial problems for the newspaper everywhere. Despite many barriers to newspaper growth around the world, the newspaper is still growing. New newspapers are appearing in every part of the world and many of them have specialized readers.

Newspapers have at least three criteria to distinguish them from other periodicals (publications). First, newspapers are bound to *actuality* because they are presenting the news and the happenings of the day. The more accurate a newspaper report, the better it is. Second, the characteristic of a newspaper is its *periodicity*. Newspapers are published within the shortest possible time. The final criteria for a newspaper is the *universality* in content and access. The content of newspapers normally covers all areas of human life. Newspapers contain political, economic, cultural news as well as sports and entertainment. (Eilers,1994, p.79-80) Newspapers become a regular part of daily activities of the subscribers or readers. The newspapers might be the first activity in the beginning of daily work. The opinion and editorial pages of papers somehow reflect or influence the stand of the readers.

The newspapers have three purposes of communicating news: 1) dissemination and interpretation of information, 2) transmission of persuasive messages, and 3) production and marketing of mass entertainment. *First*, the newspapers are the primary source of information in a democracy, accurate and reliable information in the heart of the democratic process. The journalists are those who play this role by providing information for the public. Quality journalists with ethical behavior are needed to be the practitioners of newspapers. *The second* major function of newspaper is the transmission of persuasive communications. Editorials and news commentaries, advertising and public relations are the most influential sources for content. Their messages communicate the attitudes, norms, and values of the readers. *The third* function is the production and disseminating of mass entertainment. The newspapers today have been presenting not only news or facts, they have been providing enjoyment and information to the reader as well. (Day, 1997, p. 22-25)

The role and function of the newspaper in the daily life of people has been interesting. Some ask that why people read newspapers. According to the communication research in New York, some gave the reason ...to keep informed about the world situation, to help make decisions about public affairs, to provide fodder for social discussions, to feel connected to the outside world, to obtain tangible information of practical use, to reinforce existing beliefs and to see what others believe and to provide relaxation and entertainment. (Eilers, 1994, p. 83)

Now let us clarify the meaning of the term “*Journalist*” which means a person who is working for a newspaper, magazine, radio or television, has 365 days, 24 hours

a day operation going on everywhere in the world, can not stop being a journalist at 5 pm. It's not just a job, it is a way of life and always who must be on the look-out for new ideas. A journalist is hard at work preparing information, writing features, producing documentaries, designing pages and so on for his next issue or next deadline. The work of journalist covers not only news but also documentaries, features, photojournalism, business and commerce and entertainment information. The journalist includes a person who works in a newsagency and who operates independently as a freelancer who supplies stories for publication. In addition there are those who not only want to report the news, they want to make the news. These people work in public relations, bringing to the media's attention issues and events for coverage. (Niblock, 1996, p. 1-3) According to the Shild laws, a journalist is defined in broad terms so as to include anyone who is able to get an article in print or on the air over a radio or television station. For the New York law, it is corrected to include free-lancers, movie photographers, authors of books, employers of journalists. According to the court, if persons are acting as journalists, and are seeking information for dissemination to the public, then courts have tended to hold that they can invoke the privilege. (Holsinger, 1991, p. 316) In this research, the researcher will analyze the freedom of journalist, specifically, a newspaper journalist.

Where information comes from is the aspect that dominates most journalists' working lives. If a journalist cannot get a story or the necessary information, he cannot present the facts to the public. As a provider of information, the journalist must have freedom to gather information, to verify and publish, as well as freedom to express opinions. "The journalist has the right to know the truth and freely to report it to public" (Merrill & Barney, 1982, p. 162). A journalist should have the aim to

report facts for public use and present enjoyment for all people, not for private gain or profit of political rules or business. A journalist should have freedom from governmental control or censorship. When we speak about freedom of the journalist or freedom of the press, we must know whose freedom? And why is freedom of the journalist very important to the society at large? This research explores only the freedom of a newspaper journalist. Therefore, freedom of journalist or freedom of press belongs to those who are working for newspapers as journalists and editors. “Editors mean different things according to what medium they are working in. In television, it can mean the person who is responsible for broadcast. In print or newspaper there are a range of individuals who carry the term editor such as sub-editors, news editors and production editors. The editor-in-chief is responsible for the content of the publication and who is responsible for each edition of the newspaper. Most editors these days have two roles of journalists and manager” (Niblock, 1996, p. 33). The freedom of press or journalist is very important to society and people at large because without a free press, who can truly speak for people? Who can present the truth to people? Thomas Jefferson criticizes the press that our liberty depends on the freedom of the press and the freedom of the press cannot be limited” (Merrill & Barney, 1982, p. 161). When we defend freedom of the press or the journalist, we are not defending our rights to do something, but we are defending the people’s right to know. This is what freedom of the press or the journalist is. It is freedom of the people to know. How do people think they are going to know? By newspapers or televisions or any other news source under government control? Obviously, the press or newspapers play a great role in freedom everywhere it exists. Freedom of the press or freedom of journalist exists in varying degree in each

country. No country allows the journalist to have total freedom. The limitation and prohibition to publish is found in the newspaper with different degrees in every country.

Every year the surveys indicate that the press everywhere is becoming more controlled by government controls and press responsibility. The Associated Press and the Inter American Press Association point out that North America has a great amount of press freedom. Latin America has very little. Western Europe highly enjoys very free press systems and the countries of Eastern Europe are going to the other extreme. Middle East enjoys the free press like Europe but the press is facing increased restrictions. Many countries of Asia have more government control. Australia is free like Japan, New Zealand and Singapore. In Africa no press system can be considered free (Merrill, 1983, p. 43).

A journalist plays an important role in informing the public, providing information for the discussion of opinion and acting as a watchdog to the government. A journalist must be free of obligations. So, freedom of journalist is protected by the First Amendment to The Constitution of the United States, that is protecting freedom of the press or the journalist. "Congress shall make no law...abridging the freedom of speech, or the press." There are some organizations which also protect the freedom of the press or freedom of the journalist. The researcher is going to point out the meaning of freedom of the press or the journalist according to these organizations as follows:

1) *Society of Professional Journalists*: Code of Ethics states that "freedom of the press is to be guarded as an inalienable right to people in a free society. It carries

with it the freedom and the responsibility to discuss, question, and challenge actions and utterances of our government and of our public and private institutions. Journalists uphold the right to speak unpopular opinions and the privilege to agree with the majority. (Day, 1997, p. 421)

2) *American Society of Newspaper Editors*: statement of principles states that “freedom of the press belongs to people. It must be defended against encroachment or assault from any quarter, public or private. Journalists must be constantly alert to see that the public’s business is conducted in public. They must be vigilant against all who would exploit the press for selfish purpose” (Day, 1997, p. 423).

3) *The International Centre on Censorship, Article 19 of the Universal Declaration of Human Rights*, an independent and impartial human rights organization, established in 1986 to promote freedom of expression and to combat censorship worldwide, states that everyone has the right to freedom of opinion and expression; this includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers” (Shawcross, 1991, p. 3).

4) *The International Organization of Journalists (I. O. J)*: a firm supporter of a New World Information Order points out the freedom of the western press perspective that journalists should not be licensed; no code of ethics or conduct for international communication should be developed; no censorship should be imposed on print, and free access should be allowed the mass media to new events whenever and wherever they occur (Merrill, 1983, p. 55).

5) *The Royal Commission on the Press Cmnd 6810 (1977)* states that “the freedom of the press is freedom from restraint which is essential to enable proprietors,

editors and journalists to advance the public interest by publishing facts and opinions without which a democratic electorate cannot make responsible judgments” (O’Neill, 1998, p. 423).

3.3 The Balanced Freedom of Journalist and Authority of Government

Journalist must have freedom of expression that is the freedom of thought and is therefore one of the most fundamental human rights which means that the rational individuals have a right to think as they find and to speak as they think. “The Nineteenth Article of the Universal Declaration of Human Rights, protects the freedom of expression and freedom of journalist that 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” (Shawcross, 1991,p. iii). Consequently, the principle of freedom is set forth more or less in every social agreement, depending upon the political system of its society and government. The social agreements or covenants are the fundamental nature of this right and assert the right of freedom of expression and more specifically, freedom of the press or freedom of journalist. The journalist has a duty to maintain the highest professional and ethical standards. The journalist has the right to gather and report information of importance and interest to the public accurately, honestly and impartially.

Let us point out about government regulations and controls on the press. We could say that information is power. Those who control what information we receive, what news and knowledge we have access to, can control our thoughts and our actions. In all countries and all cultures, the struggle for controlling the information

has centered around the political parties, the institutions, especially the government. This research is focused only on the government control. The government has an important role in determining and controlling the affairs of newspaper. The potential of government's authority is more or less control, depending on the political system of government. Obviously, the basic responsibility of the journalist is to be free. The journalist must be free in order to represent the public's right to know. But what are the limits on that right? For example, what happens when the right to know conflicts with the government. The government and journalists are in continual conflict because both of them have roles representing their duties and responsibilities to the people. The confrontation between the journalist and government has always been a problem. Whenever and wherever in the world a courageous newspaper exists, serving its readers as the guardian of their interest and the protector of their rights, and criticizing failures and wrong decisions of government, then it is an enemy of the government. Sometimes, the freedom of the journalist is kept under control if the government feels that the presentation of the journalist may be harmful. All these make the government and journalist relation difficult. If the government succeeds in suppressing the newspaper, society steps into a totalitarian or an authoritarian system in which there is little hope for personal freedom. If the government fails in suppressing the newspaper, a free media is established and leads to a democratic system in which there is big hope for human freedom. "A free democratic society is dependent upon a free and open media system" (Wood, 1983, p. 33). There is no country which allows the newspaper full freedom in disseminating of information. The world of freedom in journalism is full of press controllers, whether in authoritarian or democratic countries. A controlled press is government pressures or

regulations. The newspaper has a major role in forming public opinion and shaping the attitude of people because of its impact to serve the public interest. The truth-telling is fundamental to journalism. Journalism should be ethical which means that journalist should be responsible for his duty to circulate the information and opinion with honesty, fairness, accuracy. The journalist should not invade privacy or individual rights of the others. The journalist as a rational human being, ethical professional should know the principles of harm and benefit of individual rights. The duty of a journalist is to report news to the public. Many times, a journalist presents news that harms or affects a private life. This is illegitimate journalism. The problem is that some journalists do not exactly know when to distinguish between the word “private” and the word “public”.

To be a virtuous and ethical journalist is not easy; a journalist needs to observe professional ethics. What is the criteria of standard in journalism? To answer this question is not easy, it is also problematic. Consequently, the relationship between government and journalists has been in existence for a long time. How is government attempting to regulate the freedom of expression? Or how is government attempting to delimit the freedom of a journalist? By censorship? By punishment after publishing? The success of a free society depends upon its ability to determine the balance between freedom of journalism and authority of the government. Everyone could agree that there needs to be some sort of balance between them. What is it? Basically, the researcher tries to find the appropriate way of controlling journalism. There are various kinds of control that a government can exercise over the press or newspaper.

The regulation or censorship of controlling the newspaper can be divided into three categories: national security (security and secrecy), moral and public taste, and individual rights. *Security and secrecy* is a kind of information like military secrets that the state should be allowed to keep secret from the public. *Morality and public taste* concerns material printing that presents to public. The kinds of unwanted material would be concerned with censorship such as sexual material, nudity, profanity, attacks on religion. There are standards of morality to determine the unwanted material. Human beings have individual standards and definitions of what is right and wrong, what should and should not be printed and shown to the society. Therefore, the government knows how to determine what to censor and what to leave untouched. *Protection of Individual Rights*, there are several areas where freedom of the journalist conflicts with rights of the individual: defamation (protecting one's reputation); privacy and the right to a fair trial; and honesty in advertising (protecting the consumer) (Wood, 1983, p. 295).

In daily life, we face with the dilemma of conflicting rights: how much freedom a journalist should have to know the truth and facts to report to the public? And how could people exercise their right to protect themselves when a journalist presents news that invades their privacy? As long as society still continues the debate on these conflicting rights, a legitimate government control or regulation must be implemented in order to keep society peaceful.

3.4 The Political Foundation of Press (newspaper)

The political structure of a country has influence on the development of a press or newspaper system. So, the relationship of the press system on the political structure leads us to determine the freedom of journalist and the authority of a government. How do we examine the relationship between the freedom of journalist and the authority of government in each political system? To answer this question, the researcher would like to point out the classification of governments which is related to this research as authoritarian (or totalitarian) and democratic. We often hear the governments of Romania and Libya are called authoritarian, and the United States and Great Britain are called democratic. What do we mean by “authoritarian” and “democratic”? We often hear some called “authoritarian” and some called “totalitarian”. Are the authoritarian and the totalitarian governments different or exactly alike? *The authoritarian* is a political system in which government has unlimited power and the power or authority is held by an individual leader or small group. Government does not always follow the rule of law. The individual rights are not guaranteed in practice.

The totalitarian, Mussolini defines the word “totalitarian” as “everything for the state; nothing outside the state; nothing against the state” (Rodee, Anderson & Christol, 1967, p. 47). Mussolini believes that in a totalitarian state, the government’s leader should completely control every aspect of human existence such as power over trade unions, education, business, the arts, the media and so forth. (Baradat, 1984, p. 259) Under the totalitarian system, individuals have no rights, only obligations to the government. The government controls everything even private thought. The media or press are controlled carefully, and the people are told only what the government

wants them to know. Individuals do not have freedom to do things, they need the government's permission such as the permission to have house, to marry , to work and so on. There are some similarities and differences between a totalitarian system and a authoritarian system, the researcher is not going to clarify this point because it is not related to the research. The researcher would like to point out that the term "authoritarianism" and totalitarianism" would be used in the same sense .

For *the democratic*, it exists when the process of making community decision is potentially open to all citizens and their interests. (Khan, McNiven & MacKown, 1977, p. 36) According to a democratic system, a government is limited by the people or republic. The power of government is exercised by elected officials who are chosen by vote. Government and people are under the rule of law. We have already known the viewpoint of some forms of government like authoritarian (or totalitarian) and democratic. The purpose of the researcher in this point is that the researcher would like to apply these two political systems to the concept of the press. To answer the question "how do we examine the relationship between the freedom of a journalist and the authority of a government in each political system?", the researcher tries to express and analyze the three concepts of the press which are applied to political systems; authoritarian concept, anarchist concept, and democratic concept. The researcher does not analyze "totalitarian concept" because totalitarianism is in many ways similar to authoritarianism. So we cannot see big different arguments between the freedom of journalist and authority of government among them. But there are absolute arguments of authoritarian and democratic because the authoritarian is the opposite of democratic. The researcher also tries to analyze the anarchist concept because anarchism is a political philosophy opposed to

all forms of government and people have free federations in free communities, and nowadays many people around the world are interested in this system. Thus, we can examine the freedom of journalist and the authority of a government clearly.

3.5 The Authoritarian Concept of Press

Throughout the world, the freedom of press or journalist is really an ideal, no country has actually achieved it. It means that, in practice there is no absolute and complete freedom in the world press because the world is full of press controllers (government, press law, code of ethics, obligation, agreement) whether in an authoritarian system or in a democratic system. Authoritarianism is one of the press concepts or press philosophies that exists in the world press today. What is it? And how do we determine the relationship between the freedom of a journalist and the authority of a government? Any authoritarian system is one in which a leader has complete authority over the people. For example, the classroom can be an authoritarian system if the lecturer holds full domination or the family may be an authoritarian system if the father or mother has complete control. There are a few important aspects of the authoritarian concept of press that the researcher must examine.

The Authoritarian Government, an authoritarian leader may assume power by any one of several means such as wisdom, experience, heredity or military power. "Authoritarianism is a form of government in which the ruling authority imposes its values and policies on society irrespective of its members' wishes. The authority may be one person, such as Adolf Hitler in Nazi Germany (1933-1945), Joseph Stalin in the Soviet Union (1922-1953) ; or it may be a small ruling authority after Stalin's

death or the military juntas that have ruled various Latin American nations at various times” (Ranney,1990, p.118). Nowadays, many people use the term authoritarianism as synonymous with the term dictatorship. How are dictatorial leaders installed in power? There are three main characteristics which are considered to be an authoritarian government. *First*, the government is all powerful “this means that according to human nature, human being is weak and needs a well-structured community/society, therefore, human beings need a disciplined society and a strong government. The leaders or rulers can impose whatever policies they choose. *Second*, the authoritarian truth always flows from leaders to society which means that the truth is revealed only to the authorities and is interpreted by the leaders and transmitted to the society. The authoritarian truth becomes the absolute standard for all members of society. *Third*, the individual is insignificant. The individual cannot work alone, must work together under the government control in order to accomplish anything of value (Wood,1983, p.34-35). The nature and philosophy of authoritarianism have been shaped by some of the greatest minds in history, philosophers, thinkers and writers. There are some various concepts of authoritarianism. *Niccolo Macchiavelli*, his most famous political book “*the Prince (1513)*”, is the advocate of the absolutism which has the foundation of authoritarian rule. The Prince is basically amoral and realistic treatise on the acquisition and exercise of political power (Wood, 1983, p. 35). The successful ruler of government is only the one who acts effectively without the morality of actions (Blackburn, 1996, p. 227). *Thomas Hobbes* is one of the most powerful advocates of a strong authoritarian government. He asserts that human kind would be best served by an absolute monarch who could protect individuals. *Friedrich Nietzsche* is considered as

the Godfather of Nazism with his thought about Uebermensch. The theoreticians of Nazism are inspired by the thoughts of Nietzsche as well as of Schiller.

Authoritarian system, the government has total control of all the press or newspapers and uses them to get what the rulers or leaders want, but the journalist has less freedom and the freedom varies with the individual leader of government. “Under the authoritarianism system, the press is to support the government in every respect and advance the program of the leadership. A press system which serves the leader of government, and is under powerful government is called an authoritarian press system. It follows that the journalist is under obligation to the leader and the government. This concept of press may be observed currently in many African and Latin American countries. The press systems of Hitler’s Germany in the 1930s and 1940s and of Franco’s Spain in the 1950s are good example of the authoritarian theory in practice” (Merrill, 1983, p. 23-24). In the authoritarian system, almost all the press or newspapers are owned by private owners, however the press or newspaper may also be owned by government, it means that the press is considered as a part of the authoritarian government and the government has some methods which are used in controlling the press.

There are five methods or steps to control the press or newspaper as follows: licensing, prior censorship, post-publication prosecution, government ownership and government subsidization of private channels. *The first step* is to limit access to the press by issuing government licensing to printers and publishers, thus, without government permission, no one could operate a printing press. *The second step*, when licensing does not provide sufficient control, the authoritarian government could institute prior censorship. This

requires that all printed copy have to be approved by an official government censor before the material could be printed and disseminated. *The third step*, the government could prosecute only the publisher for printing materials which the government deems dangerous to the authority of the state by the threat of punishment after publication. *The fourth step* is government ownership and operation of press. The government owns all press operations. *The fifth step* of authoritarian press control occurs through government subsidization of private channels. A variation of this takes place when a government supports a public, government-chartered (but not government operated), non-profit corporation... or when many privately owned papers are supported by political parties (Wood, 1983, p. 38).

Consequently, the freedom of journalist according to authoritarian press means a journalist has limited freedom to choose what he pleases to print or to report, he must ask for government permission, otherwise he would face punishment, therefore, a journalist in an authoritarian system is not independent and has less freedom of expression to tell the truth or the facts to public because the freedom of a journalist is controlled by the obligations of government, that is, the government is all powerful.

To complete this section we must analyze the question “*What is the meaning of “the freedom in journalism” of Authoritarian Press according to Compatibilism (Soft Determinism)?* The freedom of journalist according to Soft Determinism, in Chapter II, the researcher has clarified the meaning of the word “freedom” in terms of philosophy (metaphysics): Determinism (Hard Determinism), Libertarianism (Free-Will), and Compatibilism (Soft Determinism). According to this research, we use only the terms of Soft Determinism to analyze “the freedom of journalist”. Soft

Determinism believes that Determinism and Libertarian (free-will) can go together which means that Soft Determinism accepts the determinist's argument, that is, everything is determined by causes and also accepts the free willist's argument that human being is free when he acts freely. There are two meanings of human action's view according to Soft Determinism:

- 1) all human actions are caused and free .
- 2) all human actions are caused and unfree.

According to the meaning of freedom in terms of Soft Determinism, the researcher analyzes that all journalist actions are caused by the past circumstances (heredity and environment) but the journalist actions are unfree because they are compelled actions by external force (government). So, the journalist should not be responsible for his unfree actions.

3.6 The Anarchist Concept of Press

There has recently been a renewal of interest in anarchism. Anarchism is becoming fashionable in the American public and holds a strong attraction for some people in the world. Some say that anarchism is freedom. Some would say that anarchism is chaos if there is no government. What is it? And how do we determine the relationship between the freedom of the journalist and the authority of the government? Anarchism has been defined in many ways by many different sources. The word anarchism is taken from the word anarchy which comes from the Greek word meaning "without a ruler" or "absence of authority or government". The definitions of anarchism are based on the actions of anarchists of history and present as follows:

1) A leading modern dictionary, Webster's Third International Dictionary, defines anarchism briefly but accurately as, "a political theory opposes to all forms of government and governmental restraint and advocating voluntary cooperation and free federation of individuals and groups in order to satisfy their needs".

2) The Britannica-Webster dictionary defines the word anarchism as, "a political theory that holds all government authority to be unnecessary and undesirable and advocates a society based on voluntary cooperation of individuals and groups".

3) The New Webster Handy College Dictionary, defines anarchism as "the political doctrine that all governments should be abolished".

The most obvious characteristics of anarchism is that "a system with no government", anarchy implies chaos, disorder, and confusion resulting from the absence of government. Anarchists believe that people are able to conduct themselves appropriately without government. The authority of government should be reduced or eliminated. Thus, anarchism is the purest form of democracy (Baradat, 1997, p. 147-148). The anarchist considers the government as an evil which should be destroyed immediately. There shall be no government (Rodee, Anderson & Christol, 1967, p. 173). Anarchism is a political philosophy that embraces democracy and freedom, and seeks to destroy all forms of human oppression that is seen as authority and inequality. All these oppressions are systems of power based on hierarchy. It means that anarchism rejects all forms of hierarchical authority, social and economics as well as political. According to anarchism's characteristics, the researcher is going to point out its basic principles as follows and those who believe and follow these seven principles are called anarchists.

1) Anarchism is equality. It means that everyone should have equal rights to determine how to live.

2) Anarchism is democracy. Everyone has an equal right to choose, to make decisions that affect his life. Anarchism seeks to maximize freedom for all people. It believes that all people should be as free as possible to determine his own destiny and activity within the limits required by a respect for the equal rights of others.

3) Anarchism is opposed to authority and hierarchy. All persons must be considered as equals. The anarchist society is a society without authorities. No one has the right to command or compel the others. The anarchist is also opposed to all types of organization which are based on authority and hierarchy. "All forms of government are bad in that they restrict the free exercise of human reason that is necessary for the attainment of perfection" (Pojman, 1998, p. 481). An Anarchist believes that control of the government is an illusion which corrupts all revolutionaries. People will not be free while the government exists.

4) Anarchism is free society. This is the idea that individuals should not be forced into a society which is against their will.

5) Anarchism is cooperation. When people work together they can accomplish much more than when they work against each other. This idea tries to avoid competition in an Anarchist society.

6) Anarchism is self-discipline or self-administration. Anarchist follows no leaders. No one can lead him to take responsibility for his own life. Only he can liberate himself. "In the concept of Autonomy, the fundamental assumption of moral philosophy is that men are responsible for their actions. They are capable of choosing how they shall act... every man who possesses both free-will and reason has an

obligation to take responsibility for his actions. He is autonomous” (Pojman, 1998, p. 483-484).

7) Anarchism is diversity. Anarchist supports diverse forms of freedom, family organization, loving, eating and whatever. When people live diversely they interact in a way similar to nature. They also become more difficult to rule. Thus, they become free.

In general, anarchists want to maximize human freedom. All anarchists would like to see the government reduced or eliminated, and the individual to be freed from government control.

There are two types of anarchists: social anarchists and individualist anarchists. Social anarchists (leftists) view the individual in relation to all other individuals. They believe that the individual cannot be effectively evaluated apart from the group. They wish to free people from governmental control because they believe that government prevents individuals from making the greatest possible contribution to society as a whole. The social anarchists are William Godwin, Pierre Joseph Proudhon, Michael Bukunin, Peter Kropotkin, Leo Tolstoy, Emma Goldman and Robert Paul-Wolff. Social anarchism is the best known form of anarchism... the individualist anarchists (rightists) is a kind of social Darwinism which individual is encouraged to achieve what he can for himself. They would limit government and its supporting institutions, so that individual is free to make his greatest contribution to himself. Individualist anarchist theories have been expressed by Max Steiner, Henry David Thoreau, Josiah Warren, S.E. Parker, and Ayn Rand (Baradat, 1997, p. 149-150).

Godwin writes about the conception of anarchism in his *Inquiry Concerning Political Justice* “a society can perfectly well exist without any government, only the communities should be small and perfectly autonomous. The French philosopher *Pierre Joseph Proudhon* (1809-1865) is regarded as the father of anarchism. He rejects all forms of authority from society in favor of complete individualism. One of his famous statements is “property is theft”. *Bakunin* views governments as oppressive in that they rule by compulsion rather than by persuasion, and he believes that the anarchist is in the position of having to rely on voluntary effort stimulated by reason and persuasion...the ultimate anarchist society is the cooperative style. *Kropotkin* believes that all individuals who live in voluntary associations would rely upon persuasion and reason rather than law or compulsion (Khan, McNiven & MacKown, 1977, p. 407-408). The American philosopher Robert Paul *Wolff* holds that all forms of government violate our overriding duty to act autonomously (Pojman, 1998, p. 481). “Wolff’s argument may be set forth as follows:

- 1) If the government has authority over the citizen, the government has the right to command the citizen.
- 2) If the government has the right to command the citizen, the citizen has an obligation to obey the government.
- 3) If the citizen has a duty to be autonomous, then he is obligated to act only for reasons he himself regards as good.
- 4) If the citizen is obligated to act only for reasons he himself regards as good, he cannot be obligated to obey the government .
- 5) Therefore, it cannot be the case that citizen is both autonomous and under the authority of the government.

- 6) But our highest obligation is to be autonomous.
- 7) Therefore, we have no moral obligation to obey the government.
- 8) In other words, the government has no moral authority; it is not justified.
- 9) But if the government is not justified, each person must do what he has decided to do as autonomous agents. This is a situation of anarchy.
- 10) Thus, anarchy is the correct political theory” (Pojman, 1998, p. 485-486).

How does Anarchism control the press? Anarchism is the principle or theory of human life which is conducted without government. If there is no government to control the press or newspaper, a journalist has full freedom to print or publish what he wants. The concept of anarchist press contrasts to the authoritarian press. Anarchist press holds that all journalists have freedom to express themselves freely. If journalists have freedom to express, truth will emerge. Within anarchist society there would be genuine individual freedom. The journalist would have to contribute and spread his ideas to society but he does not interfere with the freedom of others which means that he will not report news violating the right of individuals. Under the anarchist press system, there is no government to look after and control the press or journalist. There are no rulers, no leaders, no licensing, no censorship and so on. It follows that a journalist is independent, is not under any obligations to government and can organize himself in any way he wishes in order to fulfill his needs and ideals. Consequently, “The freedom of a journalist” according to anarchist press, means that a journalist has unlimited freedom to choose what he pleases to print or to report without asking permission from government. Therefore, the journalist of anarchist concept is independent, has complete freedom of expression to tell the truth or the facts to public because the freedom of the journalist is not controlled by the

obligations of government, that is the government is not powerful. *What is the meaning of "freedom in journalism" of Anarchy Press according to compatibilism (Soft Determinism)?* According to the meaning of freedom in terms of "Soft Determinism", the researcher analyzes that all journalist's actions are caused by the past circumstances (heredity and environment) but the journalist's actions are free because the journalist acts freely without compulsion or external forces (government). So, the journalist of Anarchist Press should be responsible for his free actions.

3.7 The Democratic Concept of Press

It might have seemed that the role of the press in a democracy was settled a few years ago. There is the free flow of information of the press or newspaper in many parts of the world. Of course, a journalist plays a great role of expression and opinion, that is, citizens are guaranteed full rights of free expression. It is also assumed that both the journalist and citizen or public enjoy the rights. The role of journalist in a democracy is very important to citizens and society because to be a free society is to have a free press; and to be a free press is to have a democratic government. To analyze the role of journalist in democracy, the researcher would like to point out the ideal relationship between a journalist and government by classifying these two questions as follows: 1) *what do we mean by democracy?*, and 2) *how do we determine the freedom of a journalist and the authority of a government according to democratic government?* In everyday of our lives, we often use the word democracy in communication and discussion. "Democracy is a difficult concept to understand" (Heywood, 1994, p. 166). It is not easy to define "democracy" because the term is used in many different senses. Different political systems interpret the

term democracy in different ways depending upon their notion. Democracy seems to be a good word almost everywhere in the world but it seems that the word “democracy” has been described as an ideal. The totalitarian and authoritarian regimes call themselves as democratic in order to enhance the prestige of their systems and claim that they are already attaining it. The anarchist system holds that anarchism embraces democracy and freedom, and rejects all forms of authority and inequality. And the democratic regime emphasizes maximizing human freedom by having government with limited power over citizens. It would appear from these statements that everyone in the world “believes in democracy. Fascists believe in it. Communists believe in it. Conservatives believe in it. Liberals believe in it and whatever. Benito Mussolini says that Italian Fascism is the realization of true democracy. Joseph Goebbels says that Germany under National Socialism is the most ennobled form of a modern democratic state (Ranney, 1990, p. 102). What do we mean by these statements? And what do we mean when we say we believe in democracy? This is a philosophical discussion nowadays. The leading dictionaries define “democracy” as follows:

1) The Webster’s New World Dictionary defines “democracy” as “the government in which the people hold that ruling power either directly or through elected representatives which comes from the majority rule, democracy is based on the principle of equality, of rights, of opportunity, and treatment.

2) The Encyclopedia of Philosophy defines that “Democracy” is difficult to define, not only because it is vague, like so many political terms, but more importantly, because what one person would regard as a paradigm case another would deny was a democracy at all. The word has acquired a high emotive charge in the last

hundred years; it has become good tactics to apply it to one's own favored type of regime and to deny it to rivals. The most diverse systems have been claimed as democracies of one sort or another, and the word has been competitively redefined, to match changes in extension by appropriate changes intention. However, there is still this much agreement: democracy consists in "government by the people" or "popular self-government..."

There are some more viewpoints of democracy by political thinkers and philosophers: *A.D. Lindsay* declares that democracy is not only a form of government, but also a form of society; it is more important than any theory of government. Lindsay says: democracy is based on the assumption that men can agree on common action which yet leaves each to live his own life that if we really respect one another's personality, we can find a common framework or system of rights within which the free moral life of the individual is possible...*R.M. MacIver* indicates the difficulty of separating democracy as a form of government from democracy as a way of life, he says: we don't define democracy by its spirit, since democracy is a form of government ... but men have struggled toward democracy not for the sake of the form but for the way of life that it sustains. (Rodee, Anderson & Christol, 1967, p. 94) *Agnes Heller* says that democracy is the rule of the people, a type of state in which it is both the right and duty of all citizens to create and enforce laws and to judge. Inseparable from this definition is the citizens' right and duty to obey the laws they have established (Keane, 1998, p. 129). "*Boutros Boutros-Ghali* views that democracy is perhaps the most ancient form of government, finding its roots in tribes before the age of dictators, is seen as an ideal" (Dennis & Snyder, 1998, p. 23). As a form of government, democracy may be direct or representative: *direct democracy* means that

everyone has direct participation in his society by voting, *representative democracy* is a political system which is supported in the form of a majority of votes. A democratic system provides for election, and the representatives must be elected by citizens. In modern democracy, the term democracy can be defined in politics and economic perspectives. When we talk about democracy nowadays, we cannot talk only about the concept of democracy alone, we must link it with politics and economic perspectives because politics and economic factors have been involved with people's lives in a modern social understanding, especially in a modern democracy. There are two major types of democracy that have developed at present time: democratic capitalism and democratic socialism.

Democratic Capitalism views that the economic system is based on free individual commercial activity, a strong central government and a representative of political system. This aspect of democracy is developed by Adam Smith, David Ricardo, Thomas Malthus and so on. *Democratic Socialism* (or Democratic Liberalism or Liberal Democracy or Contemporary Liberalism) This school believes that the individual happiness is the happiness of society. Government should not act in a way as to restrict individual freedom. Jeremy Bentham, John Stuart Mill, Thomas Hill Green and John Dewey are the democratic philosophers of this school (Baradat, 1997, p. 85). The researcher has pointed out the meaning of "democracy" according to the leading dictionaries and political thinkers. Some say that democracy means a particular form of government by people. Some think that it is a way of people's lives governing itself as members of society. Some assert that it is simply a way of making decisions.

Why do people believe in democracy? People believe in democracy for the reason that they believe in freedom, they believe in the right of the individual. Nobody has ever defended democracy on the ground of efficiency, but only on the ground of freedom. *Wolff* says that a democratic society is a society of free, equal, active and intelligent citizens, each man choosing his own way of life for himself (Soltau, 1965, p. 161).

For the *Democratic Government*, a free society is necessary for a free press and a free press is a centre component of free speech. The freedom of speech is typically asserted as a right of human and absolutely essential for a journalist. To have a free society is to have a democratic society, and to have a democratic society is to have a democratic government. Consequently, a free press must be in a democratic government. The term democratic government, has varied considerably over the centuries. "In general democratic government claims to rule in the national or public interest" (Heywood, 1994, p.167). *What make a government democratic?* Before answering this question, the researcher would like to mention the attitude of Locke toward government which is expressed in the beginning of this chapter. Locke is the founder of classical liberalism, he believes that people create government in order to increase the liberties of the individuals within society. He favors representative government and the accumulation of private property. However, Locke would limit the accumulation and use of private property in the interests of all citizens. Rousseau rejects the representative government, he calls on all citizens to make the laws themselves that is, direct democracy. (Baradat, 1997, p. 83)

There are six characteristics that can describe a government as democratic: 1)
the opportunities for man which means that a man should be able to live in his

own way, a man should be well educated, 2) equality of rights; a citizen as the member of a democratic society has equal political rights which means that “one man, one vote” is the only basis for a democracy. Apart from voting, the citizens are free to contribute their speech, writing to the public and the press, 3) free expression; a democratic society is founded on a basis of free discussion or free expression. The citizen may have different opinions from the others. If discussion is the heart of democracy, there must at least be some agreement as to the rules of the debate or citizen must accept, in general, principles of life, 4) majority rule; any democratic system of whatever form, depends on the ultimate authority of majority opinion which means that the citizens have rights to participate in their society by voting, 5) Self-control or discipline ; democracy is participation, it means that man is doing things in common with others, and should be responsible for things that he has been involved, and 6) the spirit of democracy; citizen should realize that there has never been a really democratic society, that is there is no true democracy. The democratic regime is an ideal. Democracy is a goal, desirable or undesirable according to one’s preferences. (Soltau, 1965, p. 173-176)

We have looked through the characteristics of democratic government to gain a clearer understanding of the question what makes a government democratic. The researcher would like to express the viewpoint of democratic government by beginning with the two models of democracy which have developed in different historical periods: Direct Democracy and Representative Democracy (Indirect democracy). Early democratic governments are direct democracies that is those who are eligible to vote, discussed and voted on each issue, or is based upon direct

participation in government. (Warburton, 1995, p. 72) This model of democracy is called “government by the people” (Heywood, 1994, p.166). In a representative democracy, elections are held in which voters select their favored representatives... there are several different ways in which such elections are conducted... representative democracies achieve government by the people in some ways. The achieve government by the people in so far as those elected have been chosen by the people. (Warburton, 1995, p. 72) It is called ‘government for the people’ (Heywood, 1994, p. 166). Lincoln says, democratic government is the government of the people, by the people, for the people. (Soltau,1965, p.159) Today’s democracy is representative democracy. The liberal democracy is the most successful form of democracy that is based upon the principle of representative democracy. Therefore, the researcher’s concern in this research is with the liberal democracy that would be linked with the freedom of journalist. *What is the role of journalist in democratic government?* The researcher will answer this question in the further point “the liberal democracy and the press”, but the researcher would like to brief the viewpoint of liberal democratic government shortly.

A liberal democratic government is based upon the principle of limited authority, the idea that the individual should enjoy some measure of protection from the government. From the liberal perspective, government is a necessary evil, always liable to become a tyranny against the individual if government power is not checked. Liberal democratic government respects the existence of healthy civil society, based upon respect for civil liberties and property rights. Liberal democracy is not the only model of democratic government, and, like all concepts of democracy. (Heywood, 1994, p. 166) There are many philosophers and writers who have contributed to the

formation of the democratic concept. The democratic viewpoint opposes the authoritarian view. *John Milton* (1608-1674) was one of the first defenders of the concept of a free press. In the '*Areopagitica*', his famous treatise, he attacks government licensing that the government should not attempt to control the press. He also argues that licensing is an evil, impractical and cannot reach for truth. He believes that if all persons are allowed to express themselves freely, truth will ultimately triumph over falsehood. whereas Milton is concerned specifically with the evils of government licensing. *John Locke* (1632-1704) is a philosopher who is concerned with the nature of human being and with their relationship to the government. In his writing, *Second Treatise on Civil Government*, he wrote that the natural rights and freedom of the individual are important, government exists only to guarantee these rights and freedom; the individual is more important than the government ; the people have the right to abolish the government if it does not protect their rights. There are three concept of 'Locke' contributions to the democratic theory of free press: 1) human kind is essentially rational and just, which means that human beings are free to discuss and argue 2) freedom of expression is one of the natural rights of every individual, human beings have the rights to life, to freedom, to earn and hold property, and the right of free speech and to print, and 3) government exists only at the pleasure of the people who create it. *Adam Smith* (1723-1790) advocates the principle of laissez-faire which is the ideas of capitalism. In his work, *An Inquiry into The Nature and Causes of The Wealth of Nations* (1776), Smith says that the best government is the one that governs least. Smith's contributions to the theory of the democratic press are based upon free enterprise and the profit motive. Let anyone start a press for his own economic gain. Let people print whatever they wish. The

more presses we have, the better off society will be because there will be more attempts to define truth. *Thomas Jefferson* (1743-1826) was perhaps the greatest idealistic defender of the free press. He declares that ‘the basis of our government being the opinion of the people the very first object should be to keep that right, and were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate to prefer the latter.’ There are two democratic propositions that Jefferson defends of the freedom of the press: 1) a free press is needed for the enlightenment of individual citizen in a democracy; the people must be well informed, and a free press is the best assurance that people will have access to facts and ideas, they can hear all sides of every debate and have the opportunity to determine truth and falsehood, and 2) the press must serve as a check on the activities of government; in order to guarantee that the government does not overstep its delegated authority, does not interfere the liberties of individual citizen, the press must maintain this checking and ready to inform the citizen as necessary. This function of the press could be called “watchdog”. *John Stuart Mill* (1806-1873) argues for freedom of press on the grounds of utility, not on the grounds of natural rights. According to Mill, the goal of all human conduct is happiness and the role of government should be directed toward obtaining the greatest happiness for the greatest number of persons. Mill in his famous essay ‘*On Liberty*’ (1859) also defends the right of every person not to be silent. (Wood, 1983, p. 41-45)

Liberal democracy has its goal to make people as free as possible, including freedom of press, speech and so forth (Baradat, 1997, p. 64). The press or newspaper plays an essential role in democracy everywhere it exists. It is assumed that the role of press must be independent and free from government control. As we all know,

journalism is the Fourth Estate. There is much talk about the press or newspaper as an adversary of government. What is the role of journalist in a liberal democratic society? In a liberal democracy, the journalist is expected to serve the public interest which means that journalist has responsibility to report the information and express his opinions. Without a democracy that is based upon the principle of freedom, journalist could not operate his work effectively. The press can support democracy only through information and ideas (Dennis & Snyder, 1998, p. 8). Under liberal democracy, usually a journalist has the freedom of expression orally or in writing so long as statements or information are not obscene, libelous (defamation), or slanderous. (Jacobsen & Lipman, 1965, p. 65)

Liberal democratic theory places a high value on freedom of thought and freedom of speech which means that journalist as individual has a right to think and to speak. According to this theory, the journalist plays a special role with both rights and responsibilities. The rights are the privileged of press freedom, and the responsibilities are the duties to provide the accurate information and balanced comment. This link between free speech, freedom of the press and liberal democracy famously appears in the First Amendment to the Constitution of the United States of America: Congress shall make no law...abridging the freedom of speech, or of the press...The Universal Declaration of Human Rights (Article 19) states that : every one has the right to freedom of opinion and experience; this right includes freedom to hold opinions without interference and to seek...(Edwards, 1967, p. 127).

The press or newspaper in a democratic system must be credible and reliable. And it is usually acknowledged that democracy almost never flourishes without an

effective, independent newspaper. The role of independent newspaper must be free from government control. (Dennis & Snyder, 1998, p. XV) The concept of the liberal democratic press views that man as a rational being having natural rights and individual freedom which has manifested itself in the American Declaration of Independence and the Constitutional guarantees of the free speech and free press. The free press in theory reports the truth in order to serve all members of a free society, but it sometimes cannot present the truth if it is controlled by some authority outside itself. In a democratic system, when we talk about freedom, it is not only the freedom of press or journalist, it also includes the right of the people or readers to be informed and choose information. So, the press in democratic system must serve as the informational link between government and people. If this link is controlled by governmental censorship, the concept of freedom of press is invalid. "Censorship instrument of communication is generally considered in democratic system of government in the time of crisis specific limitation of expression. Censorship is required usually to protect national security. But in peacetime, complete freedom of the press is very important" (Jacobsen & Lipman, 1965, p. 109).

What is the meaning of "freedom in journalism" of liberal democratic Press according to Compatibilism (Soft Determinism)? Before clarification of this question, we might come to the discussion of all the three conceptions of press. The concept of the liberal democratic press contrasts to the authoritarian press but is similar to the anarchist press. The authoritarian press holds that the government has unlimited power and the journalist is not free which means that the government has total power to control the press. Therefore, the freedom of journalist is not guaranteed in practice. The liberal democratic press views that the government is limited by the consent of

the people that is called less power, but the journalist is free or has more freedom. Therefore, the freedom of journalist is guaranteed in practice, that is by a constitution.

How do we determine the Liberal Democratic press and the Anarchy press?

The researcher sees that in some ways these two concepts of press are quite similar. They have the same principles of the individual freedom. The journalists have freedom to express opinions to public and government has no power to control on the press. But the main differences seems to be that in the anarchist system a journalist has complete or absolute freedom because there is no governmental control while the liberal democratic system a journalist does not have complete or absolute freedom like Anarchist system and the government has power to control the press in some cases. Thus, a good argument can be made that the press in an anarchist country has more freedom than the press in a liberal democratic country. Consequently, in the liberal democratic concept, the journalist has freedom to choose what he pleases to print or to report, it means that the journalist in a liberal democratic press has more freedom than the journalist in an authoritarian press while it has less freedom than the journalist in anarchist press. Therefore, the journalist in liberal democratic society is independent and has freedom to tell the truth or facts to public because in general the freedom of journalist is not controlled by the obligation of government except in the time of crisis when normal freedom of expression may jeopardize the security of the nation.

To analyze the meaning of “freedom in journalism” in terms of Soft Determinism, the researcher would like to mention the two meanings of human action according to Soft Determinism: 1) all human actions are caused and free; and 2) all

human actions are caused and unfree. The researcher would like to analyze the two meanings of human actions to the freedom of journalist as follows:

1) all journalist actions are caused by the past circumstances (heredity and environment), and the actions are free because the journalist is able to express what he wants without compulsion or external forces. Therefore, the journalist should be responsible for his actions.

2) all journalist actions are caused by the past circumstances (heredity and environment), but the actions are unfree because the journalist is not able to express what he wants, that is the action are compelled by external forces. Therefore, the journalist should not be responsible for his actions.

Now in order to see the contrast between authoritarian’s view and liberal democratic’s view of the newspaper, let us consider the comparison of their concepts in which the researcher has summarized from her point of view and some she has adopted from Wood, 1983, p. 55. In this comparison , the researcher would not consider anarchy’s view because the concept of anarchy is similar to the liberal democracy.

| Principle | Authoritarian Press | Liberal Democratic Press |
|-------------------------------|---|--|
| 1) Extent of government power | (Government) has unlimited power, is not limited. (Government has more power) | (Government) is limited by the consent of the people. (Government has less power) |

| | | |
|---|---|---|
| 2) Extent of newspaper journalist freedom | Journalist is limited. (Journalist has less freedom.) | Journalist is not limited. (Journalist has more freedom.) |
| 3) Control of government power | Power is held by an individual or small group. | Power is exercised by elected officials who are chosen by vote. |
| 4) Freedom and Rights | Freedom and Rights are not guaranteed in practice. | Freedom and Rights are guaranteed by a constitution. |
| 5) Rule of Law | Government does not always follow the rule of law. | Government and people are under the rule of law. |
| 6) Newspaper Ownership | Private / Government | Private |
| 7) Newspaper Control and Regulation | -Licensing -Prior Censorship -Post Publication Prosecution | Principle |
| 8) Social / Political influence of the newspaper | None | Newspaper serves as a check on government. |
| 9) Basic Function of newspaper | -Profit Motive -Education | -Profit Motive -Entertainment |

| | | |
|----------------------------------|---|---|
| | <div>-News and Information</div> <div>-Some entertainment</div> | <div>-Education</div> <div>-News and Information</div> <div>-Facilitates self-government</div> <div>-Watchdog on government</div> |
| 10) Responsibility of Newspaper | Minimal | Maximal |
| 11) Responsibility of Government | Maximal | Minimal |

As we have mentioned, in a liberal democratic society, the journalist has a great role and responsibility to report information and express his opinion without government control, except in the time of crisis when normal freedom of expression may imperil national security. The journalist normally is independent, free to choose what he pleases to report or print. We could say that the journalist has complete freedom to work as a Fourth Estate effectively. Under a liberal democratic system, people always ask that *“Is the freedom of a journalist useful or harmful to the individual and the society at large?”* What is the justification of freedom in journalism on standard? We would answer the former question by considering the positive and negative effects of freedom in journalism. In a general point of view, if a journalist has a high standard of reporting the news content accurately, free from bias,

avoids violating the rights to privacy, and reports it fairly, then it would have positive effects on the public's perception of the newspapers's credibility. On the other hand, if a journalist reports the news without accuracy, violating the rights to privacy, omitting important facts or hiding some truth that public has the right to know, with bias and unfairness, then it would have negative effects on the public's perception of the newspaper, its credibility is totally destroyed.

The Positive Effects Argument

The journalists who defend the freedom of the press point out that the newspapers really are necessary and have positive effects on the individual and the society at large and argue that the newspaper really have very little influence on individuals and society. Therefore, the public can enjoy the useful information and entertainment without having to worry about negative effects. (Day, 1983, p. 240)

The Negative Effects Argument

People who defend the rights of individuals point out that in a liberal democratic system, it is sometimes thought that it is dangerous because journalist has complete freedom and the freedom is unlimited. No one has authority to limit his freedom, except himself. The journalist sometimes reports information by hiding the truth or telling a lie, violates the rights to privacy, presents news by using sex material and so on. Those who defend the rights of individual think that some newspapers present very little useful information and have a negative effect on the individuals and society. Therefore, the individuals and public cannot enjoy the useful information but have to worry about the negative effects. Now in order to see the positive and negative effects of freedom in journalism on individual and society, let us consider the list of summary argument collected by Wood, 1983, p. 238-241 as follows:

| | Positive Effects | | Negative Effects |
|---|--|---|--|
| 1 | The important and useful information is made available to all readers with truth. | 1 | The newspaper creates false wants or useless information, and materialistic standards |
| 2 | The entertainment information is provided for the majority of the citizen. | 2 | To read the entertainment information is to waste time. |
| 3 | Freedom of expression is protected by press or newspaper. | 3 | Freedom of expression is unlimited, its presenting on sexual or pornography and so on. |
| 4 | The democratic government is investigated by the press or newspaper | 4 | The press or newspaper is controlled by the power of government. |
| 5 | The people are encouraged to participate in democracy by involving in all political issues. | 5 | The people are encouraged as spectators rather than participants. |
| 6 | The people are presented the moral and ethical information that is an honest reflection to individual and society. | 6 | The press or newspaper presents unethical information that is an dishonest reflection to individual and society. |

We have seen that in a liberal democratic society, the freedom of journalist could be both useful (positive effects) and harmful (negative effects) for the individual and society. Someone would ask that “what the justification of freedom in journalism on standard is?” It seems to the researcher that if there is a justification of freedom in journalism on standard, then society would be peaceful. In order to have

the legitimacy of freedom in journalism, the journalist should try to avoid presenting information or story that harms the people and society. To answer the question “what is the justification of freedom in journalism on standard?” is not easy but the researcher would try to discuss it. The researcher thinks that liberal democratic concept would not be relevant to discuss the justification of freedom in journalism because its concept promotes only the freedom of journalist but the journalist does not realize about the media’s effects that would be negative. “liberal democratic concept emphasizes the freedom of journalists, it holds that they should have liberty to report what they please” (Merrill, 1982, P. 32). Therefore, the researcher will try to create a new concept of press or government in which could develop and promote a peaceful society. The new concept will be called “moderate democratic press” that is modified from the liberal democratic concept, and emphasizes freedom and social responsibility. It means that in a moderate democratic system, the journalist cannot enjoy unlimited freedom without accepting certain responsibilities. We would make clearer understanding about the term “Moderate Democratic” in the following chapter.

In summary, the researcher’s purpose in this chapter has been to make as clear as she can, the relationship between government and journalist, how to make a balance between the freedom of journalist and the authority of government. The researcher also has analyzed the concept of the press in the authoritarian society, the anarchist society, and the democratic society. What press concept should we accept? In Chapter IV, the researcher will analyze and criticize the role and responsibility of the journalist in a democratic society. Why is it only in a democratic society? Why

the researcher does not criticize the role of journalist in Authoritarian and Anarchy press?

In authoritarian press according to the meaning of freedom in Compatibilism (Soft Determinism), the journalist has less freedom but the government has more authority which means that in the Authoritarian press there are too much external forces. Therefore, there is no balance between the freedom of journalist and the authority of government. The authoritarian concept is not relevant to the purpose of this research. *In anarchist press*, according to the meaning of freedom in Soft Determinism, the journalist has complete freedom but the government has no authority, that is, no government in the anarchist society. This means that in the anarchist press there is no external forces. Therefore, there is no balance between the freedom of journalist and the authority of government. The anarchist concept is not relevant to the purpose of this research either. But in *liberal democratic press* according to the meaning of freedom in Soft Determinism the journalist has more freedom and the government has less authority. It means that in the liberal democratic press, some journalist actions do not face external forces, that is, the journalist is free, but some journalist actions have external forces that is the journalist is not free (case of government control and censorship). Therefore, there is a balance between the freedom of journalist and the authority of government, the government could delimit the freedom of journalist while the journalist usually have complete freedom without government permission. The Democratic concept is relevant to the purpose of this research.

In a *liberal democratic system*, usually no one is authorized to limit a journalist's freedom of expression, except himself, and, in some critical cases the

authority concerned. Although there is a balance between the freedom of journalist and the authority of government, in practice, democracy is sometimes thought that it is unsafe to have free speech or free opinion because journalist sometimes reports information that affects the rights of individuals such as defamation (or libelous), obscenity or intrusion into privacy. How could we justify the role of journalist in a liberal democratic society? This is the ethical issue in democratic justification of journalism. The controversy about the limits of free expression will be focused in chapter IV which is concerned about the ethics in journalism. The researcher would apply the new concept of press “Moderate Democratic” to make the appropriate balance between a journalist and government, and also a journalist and society.



CHAPTER IV

PHILOSOPHICAL DISCUSSION

ABOUT THE RESPONSIBILITY OF JOURNALISTS

Today, more information is disseminated faster and more accurately than ever before. The standards of reporting news or information and the sense of responsibility of journalist have improved. Providing an accurate perception of the world is the press's most important responsibility. It seems to the researcher that journalists today are frustrated about their responsibility that is in the area of ethics. They have thought very little about ethics and know almost nothing about professional ethics. Journalists increasingly realize the distinction between what they consider their rights as journalist and their responsibility to society or to people. The Journalists who are concerned with ethics, with the quality of their actions would be called virtuous journalists. We could say that journalistic ethics is very important to journalism, it forces the journalists to consider their basic principle, their value, and their obligations to themselves. It forces them to decide for themselves, how they will write or report news, how they will think, act and react to the people. This chapter is intended to discuss about responsibility which is one of the key terms of journalistic ethics.

As we have learned in the last chapter, the relationship between government and journalist, what the meaning of the freedom of journalist is, according to the concept of three systems of government: authoritarianism, anarchism and democracy. We have also learned that in a liberal democracy to be a free press is to be a free society. In a liberal democratic government, the journalist has complete freedom to

choose what he pleases to report or print which is not controlled by government except in the time of crisis. As we have already mentioned, journalist must have freedom of expression and opinion to report the truth or facts to the public. A journalist should be ethical and responsible for his duty; he must perform his duty with honesty, fairness and accuracy, and also should not encroach on individual rights of the others. In a liberal democratic society, some editors or journalists might say that what they print or report is their own business. They would be right in the sense that it is a free press. Should the editors or journalists report all stories? And what is the legitimacy of freedom in reporting on standard? These questions are difficult to answer because they are concerned about the ethical issues. It seems to the researcher that if journalists consider all the news or stories that are fit for the public to know, then they should report it. In a liberal democratic system, the journalists emphasize only on freedom, but journalists in a moderate democratic society would consider all the news with their freedom and social responsibility. We would say that the freedom in journalism also requires social responsibility. In this chapter, we would begin with the relationship between freedom and responsibility.

4.1 Freedom and Responsibility

As we have seen, freedom implies responsibility. Those who have freedom must use it responsibly. It may seem obvious that to be a virtuous journalist, he must have freedom and responsibility. A journalist is normally responsible for the action that he writes or reports freely without compulsion. So, freedom of a journalist is necessary for responsibility. A journalist is normally considered to be legally and morally responsible only for free or voluntary actions.

According to Aristotle's view, man must not be responsible for his actions for the following reasons: ignorance and compulsion (McInerney, 1992, p. 115). First, ignorance; if a journalist does not understand the circumstances in which he is writing, he must not be responsible for his action. Second, compulsion; if a journalist is forced or compelled to write, he must not be responsible for his writing. Since freedom requires responsibility, it seems to the researcher that before we try to criticize the responsibility of the government and the journalist in a democratic society, we should make a clear understanding of the point "what do we mean by responsibility?" The word "responsibility" is often used in philosophy, politics and other discourses in our daily lives. Therefore, the researcher would consider "responsibility" in terms of philosophy and politics. Webster's Dictionary defines responsibility as "having such intellectual or moral capacity as to be able to discriminate and choose between right and wrong; with regard to any given act, free from compulsion and having knowledge of the natural consequences".

The term "responsibility" in philosophy means that to be responsible for something is to be responsible for the consequence of the action. The *Political Responsibility* focuses on the quality of the person doing the act which means that the leader must be responsible for his cause. (Warner, 1991, p. 17) *Moral Responsibility*, according to Existentialism, a journalist has freedom and his action comes from his freedom or free will. In every situation of his working life, he has ability to choose and make a decision on what he wants to write or to report. (Sriwarakuel, 1998, p. 4) Sartre points out that freedom and responsibility of journalist must go together, can not be separated (Follesdal, 1997, p. 392). We would say that when a journalist has freedom to write or report news he must be responsible for the result of his actions.

If the freedom exists, the responsibility must also exist. As already mentioned in the previous chapter, there are three doctrines of human freedom in terms of which we could analyse the freedom of a journalist: Hard Determinism, Libertarianism (Free-Will), and Compatibilism (Soft Determinism). It appears that we consider the freedom and responsibility of journalist only in terms of Soft Determinism which holds that Determinism and Libertarianism can go together. It means that Soft Determinism believes in the doctrine of determinism, that is, every event must have a cause. All human actions are events, therefore all human actions must have a cause. Soft Determinism also holds the view of libertarianism that human beings have freedom if they act freely. So, there are two meanings of freedom of journalist that is relevant to responsibility in terms of Soft Determinism.

1) If all journalist actions are caused by the past events and journalists have freedom to write or report news without compulsion, then they should be legally and morally responsible for their writing or reporting.

2) If all journalist actions are caused by the past events and journalists have no freedom to write or report news (or they write or report news with compulsion), then they should not be legally and morally responsible for their writing or reporting.

We could conclude that a journalist is free to choose whether to report or not to report and journalist is responsible for his reporting. Therefore, journalist could be praised or rewarded for good reporting and blamed or punished for bad reporting. (Solomon, 1984, p. 17).

The "responsibility" in terms of politics, Max Weber says that responsibility, being the personal responsibility of the leader for his cause, is something inner-directed which he cannot and must not reject or transfer...the leader has the triple

personal responsibility: he is responsible *for a cause*; he is responsible *to himself* for that cause; he is responsible to himself *for his cause* (Warner, 1991, p. 12-13).

4.2 Legal Responsibility and Moral Responsibility

As far as the responsibility is concerned regarding the freedom of a journalist, the following point can be made. In order to develop our understanding of responsibility, it will be necessary to determine the responsibility in terms of legal and moral sense. “There are two aspects of responsibility: legal responsibility (External Responsibility) focuses on laws, rules and obligations to society, and Moral Responsibility (Internal responsibility) emphasizes on morals, ethics and conscience of self-individuals” (Sriwarakuel, 1998, p. 5). It appears that when we talk about the responsibility of journalist, we are generally thinking in legal and moral terms. How do we relate the legal and moral responsibility to freedom of journalist? Basically speaking, to achieve its Legal Responsibility, a journalist must obey the laws and regulations of society which is formed and governed by government. On the other hand, for the Moral Responsibility, it is difficult to determine what is morally required in a particular society or we could say that it is less understanding than Legal Responsibility.

As Barker says, Moral Responsibility is the personality of a moral agent, who acts under a self-imposed rule. Joel Feinberg points out that Legal Responsibility governs a man's relation which begins from an act of generating fact and is the authority outside the individual, but Moral Responsibility governs the inner thoughts. (Warner, 1991, p. 94-95). Legal rules are derived from political constitution laws, legislative and the orders of the highest government official. Moral rules, by contrast,

exist independently and form a basis for criticizing or justifying. (Beauchamp & Walters, 1994, p. 2) To be legally responsible for a harm is to be liable to punishment or to legal pressure. To be morally responsible is not to be liable to any kind of official punishment but will be responsible for the moral blaming. (Warner, 1991, p. 97). When we say that the journalist is responsible for his writing, it means that he is responsible to the readers and other people who are involved with the circumstances and he is also responsible to the society. The journalist would be rewarded or punished, or blamed or praised for what he writes. According to Legal Responsibility, the journalist must follow legal regulations of the media or media law such as law of defamation, law of libel, law of privacy, copyrights law and so on. Anyone who writes or reports news legally, does not harm other people, would be rewarded. On the contrary, those who violate the law or harm other people, would be punished by official government and court. For the Moral Responsibility, the journalist has inner-thought and opinion to make a moral judgement of his writing according to media self-regulation or code of ethics. The journalist could choose between “right and wrong”, good and bad. The researcher thinks that in journalistic ethics, it is usually assumed that responsibility is based upon morality, that is, the journalist is responsible for writing or not writing, or what he ought to write. The journalist would be blamed for wrong or bad actions, and he would be praised for right or good actions. “In ethics, it is usually said that praise and blame are essential moral concepts having to do with responsibility” (Solomon, 1984, p. 17). In the system of law and morality, the journalist is responsible only for voluntary writing and its results, which means that the journalist is not being punished if he can show that his action is unfree or is forced to be against the law. On the other hand, the

journalist is not responsible for violations of moral obligation if he acts under compulsion or in ignorance (McInerney, 1992, p. 116). Journalist has a moral obligation to protect confidential sources of information (Keeble, 1994, p. 16).

We have seen the Legal and Moral responsibility from a general point of view. We have learned how to examine the distinction between both of them. The researcher thinks that to be a virtuous journalist is to be responsible for both legal regulation and moral obligation. In order to understand the legal and moral responsibility clearly, the researcher would criticize them in the following sections.

4.3 The Responsible Moderate Democratic Government

Liberal democratic concept promotes the freedom of journalist. The journalist has considerable responsibility but in fact, he does not pay much attention to social responsibility because there is no control except that exercised by himself. The journalist could decide what he wants to report according to the freedom of press (Wood, 1983, p. 60). But the moderate democratic concept promotes the social responsibility which means that the freedom and social responsibility must go together, could not be separated. It seems to the researcher that the need for social responsibility is increased on the professional journalism. The researcher thinks that according to the moderate democratic concept, the newspaper must exercise more self regulation, the government must be involved with more controls, and the people or citizen must become more critical as a reader. In order to make a clear understanding of the new vision "*Moderate Democratic Concept*" which is modified from the liberal democratic concept, the researcher would like to point out the modification of moderate democratic concept which is coined from Wood, 1983, p. 55 as follows:

| | Liberal Democratic Press | Moderate Democratic Press |
|--|---|---|
| 1. Concept of newspaper | Promotes freedom of journalist | -Promotes social responsibility (of journalist , reader and government) -Freedom and social responsibility must go together. |
| 2. Newspaper ownership | Private | -Private -Some newspapers are government- owned |
| 3. Newspaper control and regulation | None (Journalist has unlimited freedom and government has less authority) | -Self regulation -Public pressure -Government regulation (Journalist has moderate freedom and government has moderate authority) |
| 4. Social / Political influence of the newspaper | Newspaper serves as a check on the government | Newspaper is responsible for some cases |
| 5.Basic function of newspaper | -Profit motive -Entertainment -Education | Same as liberal democratic |

| | | |
|--------------------------------|--|---------|
| | -News & information -Facilitates self-government -Watchdog on government | |
| 6.Responsibility of Newspaper | Minimal | Maximal |
| 7.Responsibility of Government | Minimal | Maximal |

From the viewpoint of the liberal democratic press and moderate democratic press, we could say that the moderate democratic is modification of the liberal democratic press. Under moderate democratic, the researcher thinks that to serve its concept, we need media self-regulation, public pressure and government regulation to control the newspaper, otherwise the journalist would enjoy his unlimited freedom while he would ignore the social responsibility, and we need to motivate the reader's basic responsibility by participating in society as a reader.

It seems to the researcher that the moderate democratic press that focused on social responsibility is shared by government, newspaper and public. Now let us consider and criticize the responsibility of government in the moderate democracy. How do we describe the relationship between a Moderate Democratic government and journalism in terms of responsibility? In a democratic society, the basic responsibility of the press or newspaper is to be free. To report the truth, the journalist must be free from government, political parties, business, power of groups and so on. On the other hand the press could not be completely checked by others.

Nowadays our society seems to be complex and unpeaceful because of the unlimited power of the press. Most people feel that we need to put some controls on the press, therefore, the power of the press should be scrutinized. What protection does society need against the potential harm of an unregulated press? How could we have the protection against unwanted obscene material? How could we have the protection against slander and libel? How could we have the protection of individual's rights to privacy? All questions come from the unregulated and irresponsible press. The researcher intends to find an appropriate balance of freedom in journalism and the government control according to the moderate democratic concept.

If we have responsibility for something, we have the authority and power to act so as to discharge it. Responsibility implies and is almost the equivalent of power or authority (Lucas, 1993, p. 182). The government in a moderate democratic concept has the responsibility to control the press or newspaper in order to delimit the freedom of press which could make the balance between the authority of government and the freedom of journalist. In moderate democratic, the government must be involved with more controls and government regulation is usually used as a tool. As we mentioned, the purpose of government in a democratic society is to serve people because the power of the government is derived from people by election. The government should never become more powerful than the press. The journalists have unlimited freedom, could report or write fairly or unfairly by themselves and government should not interfere with them. But in fact, the journalists sometimes have illegitimate freedom, it affects and harms others. So the freedom of journalists must be controlled by government regulations. The potential of government's authority is more or less depending on the political system of government. The researcher thinks that to have

the legitimacy of freedom in journalism, we need a good ruler in a good government to control the press, otherwise the role of government and journalist would be in conflict. A responsible ruler who controls the government regulation needs to be open to the opinions, needs to be honest, needs to be transparent, need to be just or does not hide the facts from the public and needs to be intelligent. “Not all governments or rulers are responsible. Bad government can do very great damage. Not all governments are bad, and some have been positively” (Lucas, 1993, p. 232). Government by its nature has to be responsive that it is dealing with individual human... journalists need to be able to tell the truth and express their opinions without fear of punishment (Lucas, 1993, p. 210). The researcher thinks that to have a good governance, there shall be a system, criteria, principle and method for quality of government. We could say that the role and responsibility of the government is based on the rule of law and people must obey the law.

Now, let us consider the responsibility of the government in the viewpoint of justice. Justice requires equality. In the Journal of the Royal Institute of Philosophy, 2000, p. 105 says that in a society, there must be equality before the law... to have peace and social harmony, government should treat people as equals. It means that the government, through media law should regulate the press equally even on press institutions or on individual journalists.

As we mentioned in the last chapter, the government could make a decision to control the press if the ruler believes that the situations or behaviors violate the law or are immoral. There are three aspects of situation or behavior that are considered by government regulation: 1) the kind of information that government must keep secret from the public (security and secrecy). 2) the kind of material printing that presents to

public like sexual material, nudity (morality and public taste). 3) the kind of journalist's presentation that conflicts with the rights of individual like defamation (protection of individual rights). "Government regulation on the press of the world can be placed in the following categories: 1) legal regulation, 2) economic and political regulation, 3) secrecy, 4) direct censorship and force", (Merrill, 1983, p. 31). The researcher intends to discuss the government regulation only in the issue of legal regulation. "A discussion of the laws governing the press today can be divided into five categories: 1) libel; 2) invasion of privacy; 3) obscenity; 4) prior restraint; 5) fair trial and the right to access." (Biagi, 1988, p. 315)

1) *The Libel Law*, the Random House Dictionary defines "libel" as defamation* by written or printed words, pictures, or in any form other than by spoken words or in any form other than by spoken words or gestures. (Lovell, 1980, p. 299) Man has the right to protect his own reputation from unjustified invasion and wrongful reflects. (Crone, 1995, p.1). The issue of libel of written or printed words, pictures, or in any form other than by spoken words or gestures. (Lovell, 1980, p. 299) Man has the right to protect his own reputation from unjustified invasion and wrongful reflects. (Crone, 1995, p. 1) The issue of libel of public and private persons have been a great concern for newspapers for long time ago. (Picard & Brody, 1997,

*The law of defamation, commonly known as the law of libel and slander. In libel, the harmful words are written, printed or put into a form that will be disseminated to the public. In slander the harmful words are spoken.

p.161) The law of libel* is formed by government to protect the value of reputation of people in society from the harmful words that are written and printed. The libel law has become a great concern to journalists. Obviously, most libel cases involve the mass media such as advertisers, book publishers...and especially journalists because the journalists are constantly involved in reporting news, crime, and other wrongdoing. If the journalists write libelous remarks and someone loses his reputation as a result, then the journalists would be sued. Today, the court treats libelous articles directed at newspapers, magazines or book publishing. (Holsinger, 1991, p. 97) It seems to the researcher that the journalists must be careful in what they report or print about people, for example, some words are likely to be libelous: liar, cheat, crazy, mad and so on. If the court judges that the editor or journalist is guilty, the publisher who is responsible for that newspaper has to pay for damages caused to the person involved.

2) *The Invasion of Privacy*, it is easy to argue that journalists should not invade privacy but it is not easy to draw the distinction between private and public. Hence, privacy is problematic. "Privacy has an ethical as well as legal sense". (Biagi, 1988, p. 322)

3) *Obscenity*, when is printed material obscene? "A test of obscenity is whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient or lustful interest.

*There are two kinds of libel: Civil and Criminal. Most libel cases are in the civil law that is a story as a printed defamation. See Shirley Biagi. 1988. Media Impact: An Introduction to Mass Media. California: Wadsworth, p.97-98

The government could make decision to censor the material that appeal to the prurient interest or sexual conduct". (Biagi, 1988, p. 327)

4) *The Prior Restraint* ,when the material is printed, it can be judged obscene and therefore can be censored. But sometimes, the government has the power to stop information from being published. (Biagi, 1988, p.330)

5) *The Fair Trial and Right to Access*, the case of conflicting rights involves the public's right to know versus the individual's right to search for the truth. (Wood, 1983, p. 289) We could say that it is the rights of freedom in journalism that conflicts the rights of individual to protect his or her privacy.

We have seen the responsibility of government in a moderate democratic system which has democratic and social responsibility principles. Government, through laws, must decide what to permit to the press and what to require from the press. The researcher thinks that to make balance between the authority of government and freedom of journalist, the decision of those who control the government should be based on the moral view, that is, the rulers should have the duty of justice, and honesty. We would say that the responsible government or the good government has the duty to make people live together in peace. Obviously, to control the press, the legal and moral responsibility are essential for the rulers of government. "Without law, life in society would be, in the words of the British philosopher Thomas Hobbes, 'solitary, poor, nasty, brutish and short' "Bacalow & Emmett, 1998, p. 230). The government has responsibility in public life that is the duty of honesty and justice (Lucas, 1993, p. 230).

4.4 The Responsible Moderate Democratic Journalist

It is assumed that in the moderate democratic society, a journalist who uses his professional status as representative of the public should take more concern about freedom and social responsibility. To be a responsible journalist in order to prevent possible harm to others and society, the freedom of the journalist is limited by official legislation and a variety of laws such as defamation law (libel and slander law), obscenity law, privacy law, copyright law and so on. These laws are regulated by the government.

Fletcher says that responsibility is too often perceived as responsibility to laws or rules which is the responsibility to others... this is certainly the meaning of responsibility in the legal sense (Warner, 1999, p. 28). Laws and rules are made to limit the unlimited freedom of journalism in a democratic society. The attitudes of journalist's social responsibility do not only concern the legal responsibility but also concern the moral responsibility as we have mentioned in chapter III. It seems to the researcher that although there is a legal obligation to control unlimited freedom in journalism, laws only could not solve the problem of harm. In practice, there will still be harm in society like invasions of privacy and / or other cases. Thus, the moral or ethical responsibility is provided as a norm, standard, and also spirit to help guide journalist's actions in the decision. The researcher thinks that obviously, the responsible journalist should fulfill his Legal and Moral responsibility to society.

Journalism is an important profession in a democratic society. Its service ideal is to provide access to information about society to the public. It seems that it has a direct responsibility to the public. It is often said that the public has the right to know. This is taken to be a moral right, although it is not easy to see how such a right should be understood... the responsibility of journalist serving the truth seems to be misleading. It

is hardly the responsibility of a journalist to find out whether publishable material is true or not, although he or she writes unreliable information...it is a part of his moral responsibility to understand the aspects of social interest and power that are connected to the information that he creates and transmits to the public. (Margaret, 1998, p. 681)

Journalism has a special role in terms of democratic responsibilities by publishing facts and opinion to public. There are two components to the views that free journalism is a necessary condition for democracy. The first is that the press acts as a watchdog on government (or as a "Fourth Estate"). The second is that the press is a necessary condition for an informed and critical public. As de Tocqueville says in *Democracy in America* that "A newspaper can service only on the condition of publishing sentiments or principles common to a large number of men." (Belsey & Chadwick, 1994, p. 21-22) When we talk about the responsibility of a journalist, it means that he has duty to himself and to others. "The journalist exists in two worlds: commitment to truth-telling to the public and at the same time is an employee who works for a wage and is expected to produce news to the public." (Belsey & Chadwick, 1994, p. 27) *The Society of Professional Journalists: Code of Ethics*, states about the responsibility of the journalists that the public's right to know of events of public importance and interest is the overriding mission of the mass media. The purpose of distributing news and enlightened opinion is to serve the general welfare... Journalists who use their professional status as representatives of the public for selfish or other unworthy motives violate a high trust. *The American society of Newspaper Editors: Statement of principles* states that the primary purpose of gathering and distributing news and opinion is to serve the general welfare by informing the people. Journalists who abuse the power of their professional role for

selfish motives or unworthy purposes are faithless to that public trust. (Day, 1997, p. 421- 423) According to the idea of the social responsibility, it seems to the researcher that the report of the Commission on Freedom of the Press (Hutchins Report) has conscientiously promoted the social responsibility of journalists because the report serves to codify many aspects of press responsibility.

Here are the five statements of the social responsibility of the press according to the Commission on Freedom of the Press:

1) Provide a truthful and intelligent account of the day's news. The press should give a comprehensive report of the current news events "in a content which gives them meaning." This includes separating news and opinion, and providing interpretation when needed.

2) Serve as a forum for the exchange of comment and criticism. The press should provide a means whereby opposing viewpoints and conflicting ideas can be presented.

3) Present an accurate picture to the society. The press should present a true portrayal of all ethnic, social, religious and social groups.

4) Circulate and clarify goals and value of society. The journalists as educators should clarify the ideal, the value of society to public.

5) Gain full access to information. The press should enjoy as much "access to the day's intelligence" as is consistent with national security and rights to privacy. (Wood, 1983, p. 59)

It seems to the researcher that most journalists are confused between what they consider their "freedom" as journalists and their "responsibility" to society or to various persons or groups within that society. The researcher thinks that to be a

legally responsible journalist, the journalist must not break the laws that are regulated by the government, and to be a morally responsible journalist, the journalist must follow the self- regulation or the codes of ethics that are essential for his profession. We could say that according to the self- regulation, the journalist should learn to be socially responsible as well. The journalist should have a positive attitude towards social responsibility and promote it to the public. We would discuss about the ethics and journalism, and also its codes of ethics in the next section.

4.5 The Journalistic Ethics in Society: the Codes of Ethics for Journalist

As we have known, the journalists are in the business of reporting, they believe that the public should know what's going on in the society, also in the country and in the world. But most journalists know that there are many times in which the press or newspaper can harm or ruin people's lives. The journalists sometimes report or print untrue news or gossip as truth, this affects people's lives. In fact, we should accept that the readers are ready to believe the worst about people because the worst news could sell easier than the best news. In general, any legal system on the press is less restrictive because in a democratic system the freedom of the press is protected by the First Amendment. So, ethical discussion is essential because there are many ways in which the press can be careless in presenting news to the public. His carelessness may harm people, thus self- regulation is required.

"The self- regulation means simply that there is no agency, except oneself to see that one's self-imposed standards are followed" (Wood, 1983, p. 302). The self- regulation reflects the press's acceptance of social responsibilities. (Day, 1997, p. 391) There are three main reasons that the press regulates itself as follows: 1) The

journalists realize that they are concerned about the impact of their messages or news and they feel a sincere social responsibility to be a positive force in the society. 2) The journalists want to enhance their credibility and social acceptance by appearing to be socially responsible. 3) By policing their own content, the journalists can hope to forestall governmental regulation (Wood, 1983, p. 297). The self-regulation of the press can be divided into three categories: code of ethics, media ombudsmen, and news councils (Day, 1997, p. 43). The researcher intends to discuss only the codes of ethics. This section critically examines the relationship between the newspaper and society. It focuses on the ethical role of the journalist. Journalistic ethics is more concerned with press morality which aids the journalist in determining what is right to do in his journalism.

Ethics should provide the journalist certain basic principles or standards by which he can judge actions to be right or wrong, good or bad, responsible or irresponsible. The journalist who is concerned with ethics, with the quality of his action is one who wishes to be virtuous. The journalist has a duty to himself and to others, for example, the journalist is writing as self-expression with his professional journalism, he is not writing for the consumption of others. What he reports is the way what he himself is. He realizes about good or right actions that he emphasizes on freedom and social responsibility. The journalist who has this concern would become "the Summum Bonum, "the highest good in journalism (Merrill & Barney, 1982, p. 9-10).

The basic of ethics in journalism is to tell the truth. What methods should a journalist use in searching the truth? What is truth*? It seems to the researcher that to answer these questions is difficult because it is concerned with moral foundation of

journalist that is primarily personal. "Most journalists think of truth as accuracy, comprehensiveness, fair and balance". (Day, 1997, p. 76) Truth is what journalists consider fit to call truth, just as news is what they decide is news, nothing more and nothing less." (Merrill & Barney, 1982, p. 11).

It seems to the researcher that journalists believe that they have the right to become personally and emotionally involved in the events of the day. They believe that they should proclaim their belief if they wish that it is desirable for them to cover the news from the viewpoint of their own intellectual commitment. They believe in the truth as they see it and report to public. If a society is troubled, it suspects that something is wrong with its system or its leadership and a free press responds by finding out what that is. Criticism of government, government official, party politics and some organizations that have been involved in the circumstances is freedom and rights of the journalists. People always ask that "how far does freedom of the journalists (of the press) ought to go? What is the legitimacy of freedom in journalism and how do we justify it? These questions concern philosophy, and ethics.

* There are three concepts of the standard of truth in reporting: 1) the reporting of a story must be accurate, the facts should be based on evidence and revealed to the public. 2) to be accurate, a truthful story should promote understanding. The story should contain as much relevant information as is available and essential to afford the average reader at least an understanding of the facts. 3) the journalist should report a story fairly, without bias. See (Merrill & Ralph Barney. 1982. Ethical Issues in Journalism and the Media. London: Routledge, p. 12)

We know that ethics is concerned with the moral aspects of freedom of the press. Therefore, the journalists must have sense of ethics in deciding what to do.

There are many associations that promote the journalist's social responsibility by forming their own professional associations and have their code of self regulation such as; *The American Society of Newspaper Editors* (ASNE), the code of self-regulation has freedom principle and social responsibility, serves the public with truthfulness, accuracy, impartiality, a sense of fair play and respect for individual privacy; *The Society of Professional Journalist*, *Sigma Delta Chi* adopts its code of ethics by stressing the journalist's responsibility to serve the truth; and other associations like *The American the Society Newspaper Publishers Association* (ANPA), *the Associated Press Managing Editors* (APME), *the Investigative Reporters and Editors* (IRE), *the Magazine Publishers Associations* (MPA) and so on. They have also adopted their codes of ethics which may be helpful to the society (Wood, 1983, p. 298).

Journalism is one of the professions to have the codes of ethics. To have the codes of ethics may be a way of giving moral support to journalists. The notions of the codes would emphasize on protecting the members of the public rather than journalists themselves which means that the journalists should certainly be honest in their activities, in both investigating and reporting. The journalists should also have the highest regard for the right to privacy. "John Hulteng says that the primary objective of the press and those who work with it is to bring the readers and viewers as honest, accurate, and complete an account of the day's events as possible... the need to be informed is so great that the constitution provides the press with a First Amendment standing that is unique among business enterprises... the power of the

press must be used responsibly and compassionately" (Biagi, 1988, p. 359). The existence of codes of ethics for journalist is usually identified as benefiting to the public. It will not be the public in general which will be the beneficiary directly, but rather particular individuals or some kinds of relationship.

With the codes of ethics for journalists, there are three types of direct beneficiary: First, there are readers of the newspaper for which the journalists work. The requirement is that report should be truthful, accurate etc. This is to protect the readers who rely on the information given in those reports when making their daily decision. Second, there are individuals from whom the journalists obtain material. The journalist should protect confidential sources. And third, the journalists should not harm the others or invade the privacy of the persons about whom they are writing. Although the codes of ethics may benefit directly only those who have a relationship with the journalists to which it applies, the public at large could gain indirectly from the codes' existence (Belsey & Chadwick, 1994, p. 66-67).

Journalism has various codes of ethics for years. They deal with acceptable conduct for everyone working in journalism in the matters of responsibility, freedom of press ethics, accuracy and objectivity, and fairness and balance. "Journalism is unlike the profession of medicine and law because journalism has never have a formal codes of ethics that punish those who violate the codes. The codes of ethics do exist but have no enforcement mechanism" (Lovell, 1980, p. 282).

It seems to the researcher that today the codes of ethics for the press have no absolute penalties for those who violate the rules. These codes are meant as only guidelines. The researcher thinks that the codes of ethics are helpful in describing

what journalists should do, and most journalists realize it and try to use good judgement. But what happens when they don't? For example, in daily work, the journalists may be compelled in many different ways to act unethically. Sometimes, they will be under pressure of the advertisers, the readers, the government official and so on. The researcher thinks that for their own job security, they should be prudent to avoid acting in negative ways to the society and individual. Many people read newspapers and expect some reliability in the information presented to them. Thus, the codes of ethics for journalists are a very important part of the regulatory framework within which the journalists operate and realize. The codes for journalists commonly require the journalists to give the truth, to write accurately, to avoid bias, to avoid misrepresentation and so on. But sometimes these requirements may be expressed through carelessness or laziness that let the journalists make poor ethical judgments and the consequence can be very damaging. There are the ethical discussion that the journalists have faced in daily work. The researcher thinks that there are no codes which can anticipate every situation, so the journalists have to make moral choices.

4.6 The Controversy about the Death of Princess Diana

As we have mentioned, journalism is different from the other professions because when journalists make the wrong ethical choices or poor ethical judgements, the consequence could damage others. In most cases, however, a journalist who makes an ethical mistake will not face the legal obligation. The consequence of unethical judgements usually involves damage to the editor or journalist who is also involved. The reputation of the newspaper where the journalist works also suffers and the

profession of journalism as a whole. “The ethical dilemma in which the journalist faces in his daily work can be divided into four categories: truthfulness, fairness, privacy, and responsibility.”(Biagi,1988,p.345). In order to make clear understanding about journalistic ethics, the researcher would raise some ethical issues to discuss in this chapter. As we all know, there was much controversy involving the death of Princess Diana and its causes. The main point of controversy was whether or not the paparazzi* or photojournalists were responsible for their actions which involved the crash of the Mercedes in which Princess Diana was a passenger. The paparazzi tried to get the pictures of Princess Diana and her companion, Dodi Al Fayed. Most of the criticism was being focused on the paparazzi or photojournalists who chased Princess Diana’s car and the paparazzi were being questioned by Paris police in connection with the accident. Who killed Princess Diana? Who was responsible for the death of Princess Diana? Was the paparazzi the cause of Princess Diana's death? How could the press respond to this issue? How could we draw the line between legitimate journalism and right to privacy? To discuss and criticize these questions, the researcher thinks that we would make clearer understanding about the story of Princess Diana's death. We have seen in the past few years the stories that test

*Paparazzi are freelance photographers (photojournalists) who specialize in taking photograph of famous people like Royal family, movie stars, without their consent. They work independently and operate their work on their own. They are working under the legal obligation which is imposed by governments and follow the Codes of Ethics like others journalists.

the relationship. The death of Diana, the Princess of Wales, was one of them. On August 31, 1997, Princess Diana, one of the most recognized women in the world, died in a car accident after trying to escape the paparazzi pursuing her car with the intention of taking her photographs and she died when the Mercedes crashed in the tunnel under the Place de Alma along the Seine River in Paris. There were four persons in the car, only the bodyguard is still alive.

Christopher Dicky, Newsweek's Paris Bureau Chief, told CNN that Princess Diana died at Paris Hospital de la Pitie Salpetriere on August 31, 1997 after suffering massive internal injuries, including lung damage. The hospital officials told CNN that Princess Diana also suffered severe head injuries. Dr. Bruno Riou, head of the hospital's Intensive Care unit said that the Ambulance workers managed to revive her at the crash scene, but her heart stopped beating on arrival at Hospital (<http://www.cnn.com/world /9708/30/diana.dead/>). The Princess of Wales was the victim of a high-speed road accident. She was immediately taken under the care of the Paris SAMU, which carried out initial resuscitation efforts. Upon her arrival at hospital La Pitie-Salpetriere, she manifested an extremely grave hemorrhagic shock originating in the chest, quickly followed by cardiac arrest. An emergency thoracotomy revealed a serious wound in the left pulmonary vein. In spite of the closing of that wound and an external, then internal, heart massage of more than two hours, no circulation could be re-established and she was pronounced dead on August 31, 1997, at 4.00 A.M." (Sancton & MacLeod, 1998, p. 33).

Were Paparazzi the Cause of Princess Diana's Death? There was an investigation, led by a French Judge which began in September 1997 after Princess Diana's death and was completed and posted on September 3, 1999 in Paris. We have

known from the French Judge that the accident was caused by the driver of Princess Diana's car, Henri Paul, who was drunk. Paparazzi were cleared of all criminal charges. "A French Judge in Paris dismissed all charges against nine photographers and a press motorcyclist implicated in the car crash that killed Princess Diana, ending the two-year investigation into the accident, according to the Associated Press. In his decision, the judge said that the accident was due to the fact that the driver of the car was inebriated and under the effects of drugs incompatible with alcohol, which did not allow him to maintain control of his vehicle" (<http://www.freedomforum.org/international/1999/3introundup.asp>).

From the investigation, the judge dropped the charges of manslaughter and failing to assist persons in danger against the paparazzi and the motorcyclist, according to the French law. The judge identified the speed and alcohol which was found in the driver's body as the major causes of the car crash. We have learned that the driver was drunk which caused Princess Diana's death but it seems to the researcher that it did not answer the question whether or not the paparazzi chasing Princess Diana's car were also the cause of the accident which killed Princess Diana while she was trying to escape them. Why Princess Diana had to run away from paparazzi? Is it true that paparazzi was the initial cause of the accident? If it is true, what is the responsibility of the paparazzi who were involved in a high speed chase of Princess Diana in the hope of getting photographs of her and her companion? Should the paparazzi be responsible for their actions? Was the public interest satisfied with the paparazzi's freedom in journalism? Did the paparazzi go too far this time in pursuit of the photographs of Princess Diana and her companion? We could see there are ethical problems about the role and responsibility of paparazzi or photojournalists

in covering the news and Princess Diana's death following a high speed paparazzi chase. This concerns the right to privacy issue. To answer all these questions, the researcher would discuss and criticize the case in terms of responsibility and invasion of privacy according to different perspectives of different philosophers.

4.7 The Responsibility of Paparazzi (Photojournalists) in Invasion of

Princess Diana's Privacy : Determinism, Libertarianism and Compatibilism

Invasion of Privacy by the press are central issues in the ethics of journalism. Obviously, we live in a society that we have personal privacy and also live in society that is concerned with the public. Thus, there is a distinction between the private and the public aspects of people's lives...In a democracy, everybody has the right to privacy because it is better to live in society in which privacy is respected and protected (Belsey & Chadwick, 1994, p. 77). The press often invades or threatens an individual's moral rights especially the rights to privacy of famous people. It is obvious that Princess Diana was not respected by the press or paparazzi. Sometimes long range cameras were used by the paparazzi to provide the newspapers with photographs of Princess Diana at home, on vacation and so on. It is obvious that the paparazzi have a finger in the pie in Diana 's death, that is they tried to invade her private life by pursuing her car. "The physical intrusion of journalists into someone's personal life and private space is one of the types in invasions of privacy by the press" (Belsey & Chadwick, 1994, p. 79). Before we discuss this ethical issue, the researcher would like to classify the term "Paparazzi" that is used in this research. As we have mentioned in Chapter III, the term "journalist" means a person who is working for a newspaper, magazine, radio, television or publication, and also includes

a person who works in a news agency and who operates his work independently as a freelancer who supply stories, news, photographs for publication. Paparazzi are freelancers, they operate their work on their own. Hence, the paparazzi are journalists or photojournalists or photographers. They are working under the legal obligation of government and follow the codes of ethics for journalists like others journalists. Now let us consider and discuss the responsibility of paparazzi in invasion of Princess Diana's privacy according to the three doctrines of freedom which we have learned about the freedom of journalist in Chapter II: Determinism (Hard Determinism), Libertarianism (Free-Will) and Compatibilism (Soft Determinism). Which type of freedom is required for legal responsibility and moral responsibility? And should the paparazzi be responsible for their actions? .

Hard Determinists believe that human beings have no freedom, that is freedom does not exist because every event in the universe must have a cause. Human actions are events. Thus, all human actions must have a cause to do things. Elizabeth L. Beardsley is one of the philosophers who believes in determinism. In *Determinism and Moral Perspectives*, she wrote about the determinist views of praise and blame or moral responsibility. Can determinists find a satisfactory rationale for moral praise and blame? She clarified the concepts of moral praiseworthiness and blameworthiness of determinism by dividing the determinist into two views that is Hard Determinist's view and Soft Determinist's view. (Beardsley, 1985, p. 411) In this point, we would point out only the Hard Determinist's view, she asserts that all human actions are caused, that is concerned with the law of nature. "The causal conditions produce the act. No one ever deserves praise or blame for anything" (Beardsley, 1985 , p. 411). We could say that according to Hard Determinism, human

beings should not be morally responsible for their actions which means that they should not be blamed or praised for their actions. In the rule of law, human beings also should not be legally responsible for their actions and would not be punished or blamed for their actions. But the issue of responsibility in Determinism has been discussed among Hard Determinists. Some say that they do not require legal responsibility at all but some require it. We have mentioned this point in Chapter II. Now, we reach the conclusion of Princess Diana's death. Hard Determinists consider the death of Princess Diana that paparazzi or photojournalists have no freedom. They do not freely choose to do things which means that when they tried to get the photographs of Princess Diana and her companion by chasing her car, the driver of Princess Diana tried to escape them with high speed. After that Princess Diana had a car crash and she died. Hard Determinists believe that whatever the paparazzi are caused to do and the causes that cause them to chase the Princess Diana's car are the causes of the past events that happened before the present events. According to the paparazzi's action, we could see that it is invasion of Princess Diana's privacy. The action of the paparazzi following famous people like Princess Diana everywhere and at every moment as they possibly can, in order to get the right pictures and big money have been a common sight for a long time. The researcher thinks that if the paparazzi do not follow this action, then they would not be in freelance photographer profession because they believe that their profession is to take pictures and try to offer "good pictures" like the actions of kisses or hugs of famous people to the world for millions of people who would not have the chance to see or to access. The paparazzi also believe that there are millions of people who buy the newspapers or magazines because they would like to know the lives of famous people which is interesting and

also a curiosity. According to Determinism, there are various events like the death of Princess Diana's case occurring before these paparazzi 's birth and those events may have influenced the paparazzi beliefs and the way they were brought up until they became photojournalists themselves.

The Hard Determinists also believe that if the paparazzi act as journalists and try to get Princess Diana and her companion's photographs for newspapers or press without freedom to do, then they should not be responsible for their actions. The Hard Determinists assert that freedom does not imply moral responsibility. We could say that it is generally agreed that people can be legitimately held morally responsible only for those things over which they have control. If determinism is true, the paparazzi have no control over any situation. They try to chase Princess Diana's car because such event is a common sight everywhere in the world. This is the result of a chain of events or causes. Although it is obvious that the paparazzi invade the right to privacy of Princess Diana that is they violate the rule of law, and they do not respect her humanity and dignity, the Hard Determinists assert that the paparazzi are not legally and morally responsible for their actions and should not be punished or blamed for their actions because they do not have freedom to do things that they want. All paparazzi actions are caused by heredity and environment as we have mentioned in Chapter II. "Nobody is responsible for the state of the world before he or she was born; and nobody is responsible for the laws of nature. But if determinism is true, a description of everything that a person does logically follows from a descriptions of the state of the world at a time before that person was born together with a description of the laws of nature. It follows that nobody is responsible for anything that he or she does" (Cockburn ,1995, p. 411) . In *Free Will and*

Psychoanalysis, Hospers concludes a deductive argument of Hard Determinist as follows:

- 1) An occurrence over which we had no control is something we cannot be held responsible for.
 - 2) Events E , occurring during our babyhood, were events over which we had no control.
 - 3) Therefore, events E were events which we cannot be held responsible for.
- (Hospers, 1990, p. 264)

Hard Determinists view the paparazzi actions that they should not be legally and morally responsible for their actions. Actually the researcher thinks that when we say that paparazzi should not be morally responsible for their actions, we could accept it. But when we say that paparazzi should not be legally responsible for their actions, we could not accept it because they do not follow the rule of law. What our society will be. We could not reduce harm in society. According to Hard determinism, paparazzi have no freedom and they should not be responsible for their actions. The researcher disagrees with this theory because it is not relevant for analyzing the freedom in journalism.

Libertarians or Free Willists, John Paul Sartre as a Free Willist denies the doctrine of determinism. As we have known, Sartre believes that human beings have freedom and freedom exists. Without freedom, there could be no responsibility and morality. Man is completely free. Man has freedom of choice. Man is able to choose to do or not to do... A choice may be something that implies action; to choose to do A is to do A. Sartre also says that man has responsibility for what he is choosing or for a consequence of his freedom. (Follesdal, 1997, p. 392). Sartre's philosophy is

concerned with the basic term like 'freedom', 'choice', and 'responsibility'. (Follesdal, 1997, p. 406) Sartre determines the death of Princess Diana that paparazzi or photojournalists as human beings who have freedom and are able to choose and decide for themselves to do or not to do. For example, when the paparazzi faced the situation when Princess Diana and her companion left the Ritz Hotel after finishing their dinner, the paparazzi had choices to violate Princess Diana's private life by chasing her car in order to get the pictures of them or not to chase. The paparazzi were free when they made the decision to chase, their actions were not under compulsion. Nobody forced them to do it, they did it by their self-cause for their job, their money and also they have fun. "Jean Lesieur, the editor of a rival celebrity magazine, GALA says that there are more and more paparazzi. They are young and hungry, and they are having fun...they have no decency" (Sancton & MacLeod, 1998, p. 165). Sartre also views that the paparazzi have freedom, and are able to have control over the choices that they have which means that the paparazzi are able to decide to chase Princess Diana's car or not to chase. This is thought to be a requirement for being legally and morally responsible. Thus, the paparazzi should be legally and morally responsible for the invasion of privacy or its consequence of Princess Diana's death. We could see that Sartre's philosophy asserts that freedom implies moral responsibility, that is, the freedom and moral responsibility necessarily go together. In other words, we could say that if there is no freedom, there is no moral responsibility.

Looking at Princess Diana's car accident, some say that paparazzi are not directly responsible for the accident but indirectly because they created the atmosphere in which the accident happened. "They are big game hunters who live for

the chase, paparazzi are like Mafia Killers, no one escapes them" (Sancton & MacLeod, 1998, p. 167). Whether the paparazzi are the direct cause or indirect cause of Princess Diana's death, it is not the main point that we are discussing. We would discuss the freedom and responsibility of paparazzi in the death of Princess Diana. The Free Willist or Sartre views that the paparazzi have freedom to choose and decide in the circumstances that they face. They are able to choose and decide in that situation how far they could violate the private life of Princess Diana by pursuing her car or not to violate by not pursuing. The paparazzi have freedom to realize about the freedom of press or journalist and the right of individual. They could have conscience about their pursuits when they should pursue and when they should stop pursuing. But the paparazzi 's role in Princess Diana accident, they seem to absolutely have no conscience about their pursuits or who they could be hurting. They tried to invade the right to privacy of Princess Diana by pursuing her car as fast as they could to get the pictures.

Man is responsible for himself, but also for each act, and for the consequence of each act. Nobody else can be responsible for what a person is; each person must act freely and accept the responsibility for his action. And to choose for oneself is to choose for others. (Merrill & Barney, 1982 p. 120) It seems to the researcher that the paparazzi do not realize the balance between the public's right to know or the freedom of press, and the individual's right to privacy or the right to be left alone. They do not know where to draw the line between them. They decided to violate Princess Diana's private life by themselves because they are independent, freelancers and they are not employees of any press or any news agency. We could say that the paparazzi violate the rule of law, they should be punished by legal regulations.

Whether they are the direct cause or indirect cause in the death of Princess Diana, according to Libertarianism or free-will doctrine, they should be held legally and morally responsible for their action. We have heard from public interest and read from newspapers, magazines and so on, that after the death of Princess Diana, the paparazzi were investigated by the French law, but they were cleared in all criminal charges in Princess Diana's death because there was no evidence to prove their guilty but they were blamed and condemned by the public, society, and also by press, media and those who are working in journalism. We could see that according to Libertarianism, journalists have too much freedom, the government has less power to control them. There is no balance between the freedom of journalist and the power of government. Thus, the researcher disagrees with this theory and its theory would not be relevant for analyzing the freedom in journalism. Freedom in journalism should be limited or restrained.

Compatibilists or Soft Determinists try to compromise between Free Will and Determinism that is they must go together. We have learned that for the Soft Determinists, all human actions are caused but not all human actions are free which means that some human actions are free, and some are not free. The Soft Determinists assert that human beings should be responsible for all free actions and should not be responsible for any unfree action.

The Soft Determinist's point of view is often called the Hume-Mill Theory. It asserts that our actions are determined in the metaphysical sense or the law of nature but free in the moral sense... Hume (1711-1776), certainly accepts the principles of causality and causation... he admits that human beings possess the freedom which means that we are usually free from constraints arising outside ourselves... and he

also believes that freedom requires morals. (Weatherford, 1991, p. 79-81) As a Soft Determinist, Hume believes that human actions are necessary or must have a cause. "Cause and effect are events" (Kim & Sosa, 1995, p. 179). Hence, all human actions are events. According to *Enquire Concerning Human Understanding and Concerning the Principles of Morals* by David Hume, he asserts that there is nothing that exists without a cause of its existence... and by freedom, human beings have power of acting or not acting according to the determinations of the will: that is if we choose to remain at rest, we may; if we choose to move, we also may. This hypothetical freedom is universally allowed to belong to everyone who is acting freely without compulsion. (Hume, 1975, p. 95) Hume argues for determinism that we cannot mean by free action one that is uncaused... and for free will, he holds that people should be responsible for their actions which they have control and should not be responsible for their actions which they have no control. (Solomon, 1985, p. 434) In *Hume's Moral and Political philosophy*, Hume views about moral responsibility that human actions are regarded as moral or immoral. If the act performed is deliberately chosen, the individual is said to be morally responsible, if the act performed is not deliberately chosen, the individual is not morally responsible. (Aiken, 1948, p. XXVI)

About the death of Princess Diana, apparently after being chased by paparazzi, *Hume* views that the paparazzi tried to pursue her car with the intention of violating her private life, and taking photographs of her and her companion. Those photographs which they took would be worth a lot of money, if they could sell to the press who would pay for the rights to publish them. The paparazzi know that "a good picture" like a kiss or a hug of famous people would bring scores of thousands of dollars and the picture would be bought by certain newspapers, magazines, and TV

networks to attract readers and advertisers" (Sancton & MacLeod, 1998, p. 166). We know that the paparazzi are freelancers who are working independently. Hume agrees with Determinists that whatever paparazzi act are the causes that cause them to act, and Hume agrees with Sartre that, if the paparazzi act freely without compulsion, then they should be held legally and morally responsible for their actions. The paparazzi decided to pursue Princess Diana's car by themselves. Nobody forced them to do, they had intention to violate Princess Diana's private life because they were doing their job and want to finish it by getting good pictures as quickly as possible. The actions of these paparazzi when they follow the celebrities or famous people in society everywhere, every movement even around their homes, their holidays in order to get photographs, will bring them a lot of money. Their behaviour is a common sight which is a result from past events of former paparazzi. It is obvious that the pursuit of Princess Diana's car is an invasion of privacy which is caused by heredity and environment, and the paparazzi pursue her car with freedom. Therefore, the paparazzi should be held legally and morally responsible for the death of Princess Diana. They should be punished or blamed for their actions. On the other hand, if the paparazzi pursue Princess Diana's car because they are forced by editor of the press or by someone or a group of people who want to destroy Princess Diana's life, then they should not be held legally or morally responsible for their actions which caused Princess Diana's death and they should not be punished or blamed for their actions.

John Stuart Mill is one of the Soft Determinists who supports Hume's point of view. Mill agrees with Hume that every event has its cause, and all human actions are events. Thus, all human actions have their causes. It means that every event in the universe is determined to take place by a cause. "The law of universal causation is

that every event has a cause. Every event depends on some law” (Skorupski, 1989, p. 1780). Mill has already said that human being wishes and preferences are the inescapable results of their causal antecedents, we are forced to the conclusion that they could not in fact have done other than as they did...Mill as a Determinist says that we are conscious of what is, not of what will or can be. We never know that we are able to do a thing, except from having done it. We would not know that we were capable of action at all if we had never acted. Having acted, we know as far as that experience reaches (Weatherford, 1991, p. 82-83). Mill also believes that Determinism or Causation can go together with freedom like Hume. He believes that all human actions are caused. According to Mill’s philosophy, freedom requires morality which means that human beings should be responsible for their action, as we have mentioned, only some actions are free and some are not. Hence, according to Soft Determinism or Compatibilism, Mill asserts that human beings should be responsible only for the free actions but they should not be responsible for the unfree actions. We could say that Mill is a soft Determinist or Compatibilist because he completes the development of Soft Determinism (Compatibilism) with an empirically grounded assertion of inevitable causation in human affairs and a morally justified assertion that some acts are free (Weatherford, 1991, p. 85). About the death of Princess Diana, Mill views like Hume that paparazzi should be legally and morally responsible for her death and they should be punished by legal regulation or blamed by public and society. Beardsley wrote *Determinism and Moral Perspectives*, she said that “if people acted wrongly without external constraints (voluntary), then they deserve blame for their actions. Similar conditions are held to govern praise worthiness” (Beardsley, 1985, p. 411).

Soft Determinists (Compatibilists) believe that

1) All paparazzi actions are caused and if they choose and decide freely to invade the right to privacy of Princess Diana, then they should be held legally and morally responsible for the death of Princess Diana and they would be punished or rewarded by legal regulation or, blamed or praised by society and public.

2) All paparazzi actions are caused, and if they choose and decide unfreely to invade the right to privacy of Princess Diana then they should not be held legally and morally responsible for the death of Princess Diana and they should not be punished or rewarded by legal regulation, or blamed or praised by society and public.

In this case, the researcher thinks that the paparazzi should be held legally and morally responsible for the death of Princess Diana according to No. 1. As we have analyzed in Chapter II, the researcher agrees with Soft Determinism because freedom in journalism corresponds to this kind of meaning. This means that journalist actions are caused and freedom of journalists can be limited, restrained from obligation, government, censorship and so on, that is caused by external force. The researcher has chosen and analyzed freedom in journalism according to the meaning of freedom “Soft Determinism. Therefore, if journalists act freely without compulsion, they should be responsible for their actions. On the other hand, if they act unfreely with compulsion, they should not be responsible for their actions.

4.8 The Invasion of Princess Diana’s Privacy and Approaches to Moral

Reasoning: Mill’s Utilitarianism (Teleology) and Kant’s Deontology

We have analyzed the case study of Princess Diana’s death according to freedom and responsibility in concepts of Hard Determinism, Libertarianism and

Compatibilism (Soft Determinism). Now let us consider the case study of Princess Diana's death in terms of ethical theories according to Mill's Consequence Based Theory and Kant's Duty Based Theory.

The death of Princess Diana is the intrusion of the press into her private life. It seems to the researcher that there is no balance between the freedom of press (public's right to know) and the right of individual (right to privacy). Some say that the press is little worried when journalists invade the right to privacy and the privacy case reaches the court because the editors and journalists know that there is the First Amendment protecting freedom of the press, and in most cases, the press wins. Some would say that because of Princess Diana's death, the press has to reconsider the issue about invasion of privacy carefully because after the death of Princess Diana, there are so many responses from the public that blame the role of press and some would like to boycott the press by stopping to buy it. The researcher thinks that if there is a balance between the public's right to know and the right to privacy, then the accident like the tragic death of Princess Diana would not happen. In this point, the researcher intends to discuss about the right of paparazzi (photojournalists) in telling the truth of Princess Diana's private life to the public. It means that we would consider the right of paparazzi as journalists in which they try to get the photographs of Princess Diana and her companion Dodi Al Fayed, in order to present the photographs to the public.

The Society of Professional Journalists believes that the duty of journalists is to serve the truth... the public's right to know of events of public importance and interest is the overriding mission of the press...journalists at all times will show respect for the dignity, privacy, rights of people...the journalists must guard against invading a person's right to privacy. (Day, 1997, p. 421-422). In the case of Princess

Diana's death, the paparazzi tried to get the photographs of her and her companion in covering the news to serve the truth or the facts to public. In codes of ethics, the paparazzi should have the highest regard for the right to privacy of Princess Diana, it seems to the researcher that she was a famous person in public eyes but her right to privacy was not respected. Although she was a public person, she absolutely had a right to private life like other people. The Problem of invasion in privacy is that in most situations the journalists do not know when to draw the line between public and private, or we could say that there is no clear line surrounding private life. So, the journalists should consider carefully on ethical reasoning. In the case of Princess Diana's death, it is clear that the day of her death, Princess Diana appeared in public not on official function; she was on vacation with her companion in Paris. It is obvious that the paparazzi invaded her private life. The paparazzi as journalists have no right to invade people's privacy in the way that drove Princess Diana to her death. Let us consider whether taking photograph of Princess Diana is to tell the truth to public or not. The researcher thinks that taking photograph of Princess Diana by paparazzi is to tell the truth to public because it is gathering information in covering the news and it is a part of truth of the story or news. The paparazzi try to get as much truth (photographs) as possible to be included in the story or news. What methods should paparazzi use in trying to get the truth or photographs? The desire to search out and present the truth or photographs of famous people seems to be an ethical dilemma journalists in a democratic society encounter. It seems to the researcher that the paparazzi are using a "by hook or by crook" method to get their job done. They do not seem to care that such method could bring harm to people. But are all the news or photographs fit to print? And who consider them? As we have

mentioned in the previous Chapter that the truth is what journalists deem to call the truth, they could choose and decide on their own. If they could not decide by themselves, they would ask their editors or someone who are responsible for it. The duty of paparazzi is to take photographs of famous people and try to get “good photographs or attractive photographs” which would attract readers to buy newspaper. The paparazzi have expertise to consider which photographs could sell to the press or media in covering the news. This issue is concerned about moral reasoning of paparazzi. Is it ethical for paparazzi (photojournalists) to present Princess Diana and her companion photographs in private life to the public? We would discuss this issue according to Mill’s Utilitarianism (Teleology) and Kant’s Deontology.

Mill’s Utilitarianism is one of the teleological theories which is based on the consequence of an action. “Utilitarians are concerned with the consequences of an ethical judgement. Rather than looking at the intention behind the action” (Day, 1997, p. 54). Mill believes that we should attempt to promote the greatest happiness for the greatest number of people. (Merrill & Barney, 1982, p. 31). This means that every person should seek the good of his groups, society, nation or world. When we confront an ethical dilemma, we do not know what is right and what is wrong. We should analyze the benefits and harms to everyone affected by the decision and then choose the action that results in the greatest benefit for most people. We should determine what is really good for the most people. Mill’s Utilitarianism focuses on minimizing harm” (Day, 1997, p. 56). According to the case study of Princess Diana, if news story and photographs of Princess Diana and her companion that are published reveal embarrassing facts about her private life, then the potential for harm is inevitable. The paparazzi who have moral obligation should try to avoid harm but

in this case, the paparazzi try to get the photographs by intruding into her private life while she was on her vacation. “Mill holds that an action is morally right if a person’s doing brings about good consequence” (Taylor, 1975, p. 55). How do we determine the rightness or wrongness of paparazzi actions? According to Mill, if the consequence is good, the action is right and if the consequence is bad, the action is wrong. When the paparazzi confronted the situation that Princess Diana and her companion left the Ritz hotel after finishing their dinner, the paparazzi had the alternative of either to chase her car or not to chase. The paparazzi have to determine and ask themselves that “how much happiness and how much pain will it bring to the lives of Princess Diana and others by chasing her car?” If the paparazzi are ethical journalists, they would choose the alternative which leads to a greater amount of happiness and a smaller amount of unhappiness than any other alternative. But, in this situation, the paparazzi considered only how to get the photographs of Princess Diana and her companion which would bring them a lot of money. Finally, the paparazzi made decision to chase Princess Diana’s car and she tried to escape them with high speed. After that she had a car crash and she died.

According to Mill’s theory, we could say that the death of Princess Diana and her companion is a bad consequence because the paparazzi destroyed her life and other people in her car. Most people in the world are sad about this tragic story and most of the responses from public interest blame the paparazzi. On the other hand, if the paparazzi would not chase Princess Diana’s car, the accident would not happen and she would not die in this situation. In fact, when the paparazzi are criticized or blamed about the death of Princess Diana, they would always defend themselves by

saying that they were giving the public what it wants which means that they tried to present the truth or the facts to readers or public.

Consequently, Mill's Utilitarianism views that paparazzi have moral wrongness because the consequence of their action is bad that leads to the death of Princess Diana. Mill does not focus on the intention of paparazzi, although the paparazzi argued that they did it because they serve the public's need.

Kant' deontological theory emphasizes duty, his ideas are referred to as duty-based moral philosophy. In other words, one has a duty to tell the truth even if it might result in harm to others (Day, 1997, p. 54). How do we determine the rightness or wrongness of paparazzi actions? As we have analyzed Mill's Utilitarianism, Mill would say that those who do the greatest happiness for the most people have the moral rightness which is focused on the consequences. But, for Kant, he focuses on the intention of an action. Kant argues Mill's Utilitarianism that producing the greatest happiness to the most people has nothing to do with the morality of the action. "Acting morally for Kant, is acting on the basis of duty or on principle itself and not on any outcome of the action" (Merrill & Barney, 1982, p. 119). The basic principle of Kant is called the Categorical Imperative...a person is acting ethically only if he is, or would be willing to have everyone act on his maxim. Or we could say that a person is acting ethically if he would be willing to see his rule applied by everyone who is in a similar situation (Merrill & Barney, 1982, p. 12). His fundamental moral principle is based on moral rules that should be universally applied and respect people's dignity.

According to the case study, if paparazzi accept the basis of principle of the press or newspaper that they have freedom of expression to present the truth to the

public, they have duties to that principle and they should not consider consequences of actions. “Kant’s emphasis is on acting of duty and duty alone. Consequences are not considered” (Merrill & Barney, 1982, p. 127). For Kant, duty is to one’s own principle freely determined. A person has duty which is derived from reason and results in universal or ultimate principles which Kant considers as the metaphysics of morals (Merrill & Barney, 1982, p. 126). Kant would examine the purpose and motive of paparazzi in trying to get photographs. “Acting ethically for Kant means acting on the basis of duty or acting for some principles, and the value of an action must not be in the consequence of the action” (Merrill & Barney, 1982, p.127). In this case, it seems to the researcher that the intention and action of paparazzi cannot be justified according to Kant’s theory because the purpose of the paparazzi in presenting photographs to the public does not flow from any universal moral obligation and the actions do not show the proper respect for Princess Diana as an individual. Whether the paparazzi chasing Princess Diana’s car would harm her or not, the consequence of their actions are not considered as morally right or morally wrong. Kant considers only the intention of paparazzi’s actions which must be ethical actions. The paparazzi might feel obliged to present photographs of Princess Diana and her companion to the public even if it means intruding into the privacy of Princess Diana. How could journalists make ethical judgments concerning the lives of others? They have to consider it.

4.9 The Researcher’s Viewpoint

1) The researcher disagrees with the Hard Determinist’s viewpoint that paparazzi do not have freedom to pursue Princess Diana’s car. Their actions are fully

determined or caused by what has happened in the past (by heredity and environment). They can not be freely chosen actions. Whatever they do or act, they followed the tradition or behavior of paparazzi profession in the past events. For Hard Determinism, human beings have no freedom or freedom does not exist. Accordingly, the paparazzi should not be held legally and morally responsible for their actions. The researcher thinks that freedom is a basic authentic part of journalism profession. Journalists must have freedom of expression to tell the truth or the facts to public. The researcher thinks that the Hard Determinist's view is not relevant to the research. The researcher also disagrees with Free Willists or Sartre's viewpoint. Although Sartre holds that paparazzi have freedom to pursue Princess Diana's car if they act freely, and they should be legally and morally responsible for their actions, but Sartre denies the doctrines of determinism which holds that all paparazzi actions must have a cause. The researcher thinks that whatever the paparazzi act, their actions are caused according to the law of nature. The pursuing the Princess Diana's car of paparazzi is the event that has been happening from the past before the paparazzi were born and still happen continually until nowadays. The researcher thinks that journalists need both freedom and law of nature for their works. We can say that journalists require freewill and determinism. The researcher agrees with Soft Determinist's viewpoint because Hume asserts that freewill and determinism must go together or be compatible. As we have concluded, the paparazzi should be legally and morally responsible for their actions for the death of Princess Diana because their actions were free, without compulsion and they should be punished by legal punishment or blamed and condemned by the public and society.

2) According to Mill and Kant's perspectives on the case study of Princess Diana's death, Mill considers the moral rightness or wrongness of paparazzi actions by consequence of an action but Kant focuses on the intention of an action. The researcher thinks that if journalists follow Mill's Consequence Based Theory, then they would consider the morally right only of the consequence and would not pay attention to the intention of the person performing his duty. How do we determine the journalists who have bad intention to present news but they bring good consequence? For example, the journalists present unpleasant news about someone or print pornographic materials by reasoning that they are giving the public (the greatest number) what it wants, they are Utilitarian journalists. They do not think that it is a bad intention which can harm individuals and society. The researcher thinks that this is a problem of Mill's Utilitarianism. The researcher also thinks that for Kant's deontology, the journalists do not consider the consequence of an action, they consider only the intention of the person's action. For the journalists who believe in Kant's theory, they feel good to reveal the source of their information, to let readers know that who provides the particular facts. They feel that it is their duties to do it. "Kantian journalists provide the readers with important related information necessary for validating the story and provide the readers in the ethical news or information. They feel that they have obligation to act in a certain way and have duty to present as much of the truth of the story as they have" (Merrill & Barney, 1982, p. 126). For Kant, journalists shall not lie which means that the journalists have to accept the principle "we will tell the truth in my journalism, then we will not lie". It seems to the researcher that we live in the complex world, the Kantian journalists do not compromise in the situations in which they have to present news. Because the theory

emphasizes on rules and commitment to duty, its approach to ethical decision making is too uncompromising, and has no exception. “ For Mill’s Consequence Based Theory, is more flexible than Kant’s Duty Based Theory because it provides a clear cut procedure for confronting moral choices through listing the alternatives, evaluating their possible consequence”(Day, 1997, p. 60) The researcher thinks that for professional journalists encountering such problem day by day they have to solve it with journalistic ethics. It seems to the researcher that there are no clear-cut rules in ethics because different situations demand different standards. It would be better if journalists consider each situation individually, they should decide which ethical theory they should apply to a particular situation. This will lead to the situationist theory. Or it would be better if journalists apply the Virtue Ethics which is based on the Golden Mean Theory of Aristotle.

3) The invasion of Princess Diana's privacy by paparazzi in 1997 was a tragic and very important issue of ethics in journalism. There are so many responses from public concerning the role of paparazzi. Although paparazzi were cleared in all criminal charges according to French law, most of the responses blamed the paparazzi and are against them. It seems to the researcher that naturally journalists attempt to argue that their actions are unfree. Thus, they are not responsible for them. For example, they may often say that they would not have written the news or taken photographs in their ways but they had to do it because they were told by their editors to do so. They are denying their freedom and refusing to accept their responsibility for their actions.

4) It seems to the researcher that the press seems to have forgotten that Princess Diana is also a human being. It was unfair for her because the paparazzi

followed her everywhere and every movement, that was unethical because it invaded her private life. The paparazzi violate the rule of law and also the moral rule. The paparazzi should realize about the freedom of press and the right of individual. The researcher thinks that the paparazzi should be controlled.

5) When Princess Diana was in public performing her duties, she should have expected to be in the public eyes with photographers. But when Princess Diana was not performing public function, she should have been left alone, and not be harassed by photographers. Princess Diana, just like anyone else, had the right to freedom of movement and privacy. It seems to the researcher that paparazzi or photographers worked so hard for their money and their wealth regardless of potential harm their behavior may bring.

6) It seems to the researcher that the paparazzi are not virtuous journalists. They are not the legitimate journalists. They are not morally human beings. The reason for the death of Princess Diana is that the paparazzi could make a big money by violating, harassing and following her in order to take her photographs. They are freelancers who are not directly employed by any press or news agencies. They take pictures and sell them to the newspaper or media who pay them quite a handsome amount of money for the use of their photographs. According to this incident, it could be said that the press or media, by offering large sums of money, indirectly encourage paparazzi to behave in such a way which caused Princess Diana's death. The researcher thinks that to curb the role of the paparazzi, people should boycott the press and media which use dangerous and unethical tactics to obtain photographs.

7) The researcher agrees with the French Judge that the driver of Princess Diana was the cause of her death and he was to blame for this accident, but it seems to

the researcher that this accident still would not have occurred had the paparazzi not given chase. Hence, according to the viewpoint of Soft Determinist, the paparazzi should be responsible for their actions in terms of legal responsibility and moral responsibility.

8) According to the French law, paparazzi were cleared in all criminal charges in Princess Diana's death because it had found no evidence to prove that chasing paparazzi were directly responsible for the car crash that killed Princess Diana. "The Article 12 of the Universal Declaration of Human Rights stated as long ago as 1948 that 'No one shall be subjected to arbitrary interference with his privacy, family or correspondence, nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks' (Belsey & Chadwick, 1994, p 78). In France the 1970 law, of the Civil Code states that 'Everyone has the right to respect for his private life', meaning it is illegal to publish a photo of any person without his or her express consent, even if the picture was taken in a public place." (Sancton & MacLeod, 1998, p. 165). The researcher thinks that there should be a balance between the freedom of press and the right of the individual. In this case, Princess Diana was hurt by paparazzi. If Princess Diana had not died, she had the right to sue these paparazzi according to the law of privacy.

9) It seems to the researcher that the press or media in France have unlimited freedom of expression. Some say that paparazzi who are working in France are more aggressive than others. According to the concept of press, we could say that these paparazzi are working for a liberal democratic concept, that is, they emphasize the freedom of journalists, and the responsibility of journalists is minimal. The paparazzi have unlimited freedom and government has less freedom to control them. On the

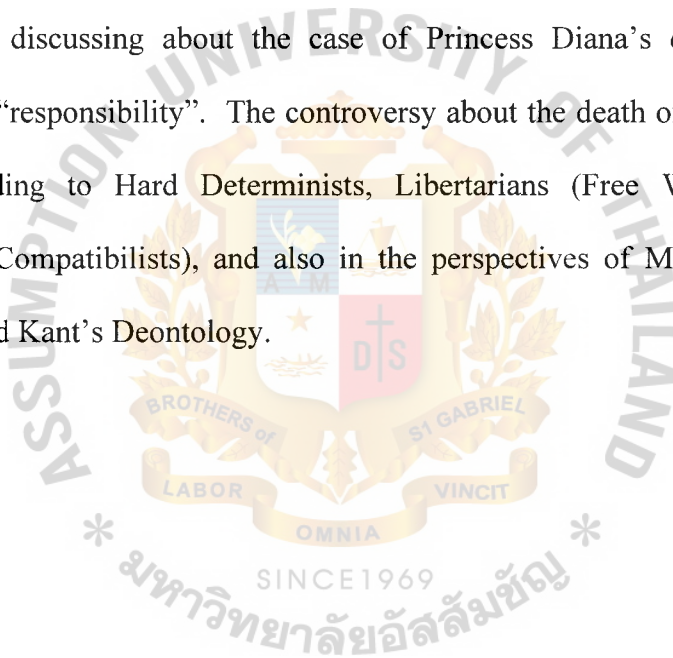
other hand, if the paparazzi are working for a moderate democratic concept which is emphasized by freedom and social responsibility, they would have the conscience to consider the situation in which their actions may harm people. Those who work as a moderate democratic journalists would have maximal responsibility. And in the moderate democratic society, government has more power to control journalists or press by regulations. Consequently, the researcher thinks that the moderate democratic journalists would help reduce harm rather than the liberal democratic journalists would.

10) The researcher's Christian viewpoint: the researcher has considered the case of Princess Diana's death in the sense of freedom and responsibility of journalists (paparazzi). In facts, we have known that the paparazzi were not punished by the rule of law. What is religious thinking? We have heard that sometimes journalists prints unpleasant news about someone under the pretext of serving society and often times their service invades the rights to privacy of individual like Princess Diana. As I am a Christian, I think "only to report the truth or the facts is not enough for the journalists" and "only legal responsibility is also not enough for the journalists". The researcher thinks that they should have both legal and moral responsibilities. According to the Christian belief, the researcher thinks that "the Golden rule of Christian love and justice" is necessary for the journalist. It helps the journalists to make ethical decisions in the situations they find themselves. In the case of Princess Diana's death, it seems to the researcher that had the paparazzi considered that their action might be harmful to Princess Diana, and that Princess Diana was a human being like them, she needed to have her private life, then the tragic accident would not have happened and she would not have to die. "The Second

Vatican Council declared that if the media are to be correctly explored, it is essential that all who use them know the principles of the moral order and apply them faithfully in this domain. The moral order to which this refers is the order of the law of human nature” (Eilers, 1997, p. 167).

In summary, the researcher has tried to discuss the responsibility of journalists in a democratic press by contributing a new concept of “moderate democratic press” which is modified from “liberal democratic press”. The liberal democratic press promotes only freedom of journalists which means that the journalists have unlimited freedom but government has less power to control the press. The moderate democratic press promotes social responsibility of journalists, of government and also readers. To have a peaceful society, to reduce harm in society, the researcher has tried to make an appropriate balance between journalists and government and also journalists and society. The new contribution “moderate democratic concept” promotes social responsibility which means that those who work as journalists in a moderate democratic society require freedom and responsibility, that is, freedom and responsibility must go together. The researcher has pointed out the difference between the liberal democratic press and the moderate democratic press. We have learned that if journalists worked for the moderate democratic press, they would have more social responsibility than those who worked for the liberal democratic press. In the moderate democratic press, journalists should keep in mind both legal and moral responsibilities. In this point, the researcher has mentioned about the media law to control the press in order to delimit freedom and to be a morally responsible journalist, the journalist must follow the codes of ethics or apply self-regulations. The researcher thinks that to be a virtuous journalist, they must have legal and moral

responsibilities. The codes of ethics require the journalist to tell the truth or the facts to the public, to write accurately, to avoid bias and so on. The codes of ethics serve only as guidelines for the journalist to work ethically. Nowadays the codes of ethics for the press have no effective punishment for those who violate the rules. This is the problem in the media profession because the journalist sometimes writes, expresses something carelessly or inaccurately; and make unethical judgments that affect people's lives. In this chapter, the researcher has pointed out the ethical dilemmas in journalism by discussing about the case of Princess Diana's death in terms of "privacy" and "responsibility". The controversy about the death of Princess Diana is viewed according to Hard Determinists, Libertarians (Free Willists) and Soft Determinists (Compatibilists), and also in the perspectives of Mill's Utilitarianism (Teleology) and Kant's Deontology.



CHAPTER V

CONCLUSION

The world of journalism is concerned with practices that should generate questions about newswriters ability to act as authoritative journalists of events in the real world. From news gathering to news presentation a journalist's authority often derives from the fact that the public cannot verify what he or she has done. This situates the establishment of journalistic authority within the hands of journalists, and their authority is informed by their own decisions about how, why, and in what way they turn ordinary events into news stories. "In general, journalists search to present positive news. They tend to see themselves as checks on the administration and as *ombudsmen** for the society. In this role, they tend to act as public organizers and educators"(Zelizer, 1992, p. 67). A journalist's mission is to tell the truth or inform about events to the public. To tell the truth that public has the right to know, the journalist requires freedom. The freedom of a journalist is a major philosophical and ethical problem which is still being discussed among government, journalists and people. Millions of newspapers are read everyday and they remain not only one of our primary sources of news and current affairs but are also a form of entertainment.

* Ombudsmen are considered representative of the public. Many readers could complain to the paper's ombudsman. See Louis A. Day. 1997. Ethics in Media Communication: Cases and Controversies. California: Wadsworth, p. 45).

People might judge the press or newspaper negatively, positively or neutrally; because they might define the action of the press differently as a social or political forum or as a tool . Some would say that journalists have unlimited freedom to report the fact. The ways that the journalists present news are biased, inaccurate, unfair, unbalanced, and most times, they invade the right to privacy of individual. They are called “Unethical Journalists”. “In general, journalists maintain they are responding to what the public wants, while people argue that news is managed and constructed to suit the need of people in powerful positions from politicians to advertisers” (Niblock, 1996, p. 4). Some might say that journalist could provide full and important information, could serve as a watchdog of government. People or readers could perceive the information about the situation around the world by press or newspapers. The ways that the journalists present news are unbiased, accurate, fair, balanced and they try to avoid the invasion of the right to privacy of individual. They are called “Ethical Journalists”. The press or newspaper is a part of people’s lives. They could not live without information and they do not have more concern with the freedom of press whether the press has unlimited freedom or not. They believe in newspaper or journalist credibility. They would react only if the news affect their lives negatively. Some may say that they do not mind whatever the press would be, because the press is not a part of their lives, that is, the press or newspaper is not a necessary condition for their businesses and private lives. We have known that there are several factors for which people look to the press or newspaper for as well as information, entertainment and leisure. So, journalism may not only touch our physical lives but may also inspire or amuse us. It is a highly responsible and demanding task.

The aim of this thesis is to analyze and criticize the responsibility of journalist in a democratic society. We have learned that to be a responsible journalist in the democratic society, the journalist must have freedom of expression or freedom of opinion. Thus, freedom and responsibility must go together. It means that if the journalist as a human being has freedom, he should be responsible for his behavior or his action. We have discussed the terms “freedom” and “responsibility” of a journalist with the case study of Princess Diana’s death. The thesis begins with the meaning of “freedom” in terms of politics, sociology and philosophy but the researcher has analyzed the meaning of “freedom” only in terms of “philosophy” according to the doctrines of Determinism (Hard Determinism), Libertarianism (Free-Will) and Compatibilism (Soft Determinism). Finally, the researcher has chosen only the meaning of freedom in the sense of Compatibilism (Soft Determinism) to analyze the freedom in journalism. We have shown the argumentation among these three doctrines in chapter II.

Determinism (Hard Determinism) is the view that every event has a cause. All human actions are events. Therefore, all human actions have a cause. A Hard Determinist rejects free- will, that is, Hard Determinism claims that human beings do not have freedom, whereas Libertarian (Free- Will) asserts that Determinism is false because a Libertarian believes that human beings have freedom. The Hard Determinist also claims that human behavior or human action is within the laws of nature, and so free- will cannot exist. The Hard Determinist argues that if free- will exists, it would be possible for a person to choose to do or to act against the deterministic system or against all the force of heredity and training which have been building in the past. The Hard Determinist believes that every choice could be

completely explained by previous causes that is the future would be connected. So, freedom to choose between alternatives is an illusion. According to Hard Determinism, human action and human decision flows from character which is produced by heredity and environment like habits, belief, value and so on. (Minton & Shipka, 1990, p. 255) If human beings do not have freedom, they are not responsible for their characters and so, they could not be held responsible for their actions, and there is no reason for blame, punishment, praise or reward as all things are as they must be, based on the cause that came before. Hard Determinism does not require legal and moral responsibilities. But we have discussed about this issue because some Hard Determinists do not require legal responsibility and some require it. Libertarianism (Free-Will) is a doctrine which is required for legal and moral responsibility. The Libertarian or Free Willist denies determinism because he claims that human beings have free will and are totally free to choose what they want. He asserts that if human beings have free-will or freedom, they should be responsible for their behaviors or their actions and they should be blamed, punished, praised or rewarded for their actions. "Soft Determinism (Compatibilism) claims that freedom and determinism are compatible" (Minton & Shipka, 1990, p. 256). We could say that the Soft Determinist presents the third point of view. Basically, the Soft Determinist claims that human beings' choice-makings may be caused by prior events. The Soft Determinist holds that all human beings choices and actions are caused, which is determined by past circumstances and the actions could be free if they are not compelled actions. Therefore, human beings are responsible only for free actions and they should be blamed, punished, praised or rewarded for their actions. The Soft Determinism requires legal and moral responsibilities like Libertarianism

only for free actions, but they do not require legal and moral responsibilities only for unfree actions like Hard Determinism.

The aim of this thesis is also to discuss the freedom of a journalist in a democratic society (government). We have tried to make a balance between freedom of a journalist and authority of the government. In chapter III, we could see the comparison of political foundation of the press which is the nature of the press concepts. “Journalistic work is political in nature” (Jakubowicz, 1992, p. 66). We have learned the authoritarian concept of press, anarchist concept of press and democratic concept (liberal democratic concept). According to these three concepts of press, the researcher has analyzed that only the democratic concept could be applied to notion of thesis in which, the journalist requires freedom. The journalist who works in the liberal democratic press (government) has more freedom (or unlimited freedom) to express or write what he wants. The liberal democratic concept promotes only freedom of a journalist but does not emphasize on social responsibility. It seems to the researcher that the liberal democratic journalist could harm people and society easily. This is a negative aspect of the liberal democratic concept which the researcher has found. To make an appropriate balance between the journalist and government, and the journalist and society, the researcher has created a new concept of press “moderate democratic concept” which is modified from liberal democratic concept. The moderate democratic concept promotes freedom and social responsibility. According to this concept, the journalist has moderate freedom which is controlled by government or obligations and also has self-regulation (codes of ethics).

Finally, we have reached the controversy about the ethical dilemma in journalism. As we have mentioned, the journalist faces the ethical dilemma day by day and he needs to make moral choices for his judgement. In chapter IV, we have analyzed and criticized the responsibility of the journalist in the case of Princess Diana's Death according to the viewpoint of Determinism (Hard Determinism), Libertarianism (Free-Will) and Compatibilism (Soft Determinism). For Hard Determinism, we have pointed out Beardsley and Hospers's views.

Here is a deductive argument of Hard Determinism which is applied from Hospers's viewpoint.

- 1) An occurrence over which human beings had no control is something that we should not be held responsible for our actions.
- 2) The pursuing of Princess Diana's car by paparazzi for taking her photographs occurs in the past were events over which they had no control.
- 3) Therefore, the pursuing of Princess Diana's car by paparazzi for taking her photographs were events which the paparazzi should not be held responsible for their actions.

Sartre as a Libertarian or Free Willist asserts that

- 1) If the paparazzi (photojournalists) have free-will, then their actions are free.
- 2) If the paparazzi (photojournalists) actions are free, then they should be responsible for their actions.
- 3) Therefore, if the paparazzi (photojournalists) have free-will, then they should be responsible for their actions.

Hume and Mill are the supporters of Soft Determinism. They would also agree to the three principles of Kahane as follows:

- 1) If determinism is true, our choices and actions are determined by past circumstances.
- 2) All paparazzi (photojournalists) actions which are determined by past circumstances could be free if they are not compelled actions.
- 3) All paparazzi (photojournalists) should be held responsible only for free actions.

The researcher has agreed with the Soft Determinist's view and also expressed some viewpoints at the end of Chapter IV. The researcher has also analyzed the case study of Princess Diana's Death according to the ethical theories : Mill's Utilitarianism (Teleology) and Kant's Deontology.

In summary, to delimit the freedom of journalists according to the new concept "Moderate Democratic Press", the journalists require not only media law which is regulated by the government but they also require the codes of ethics or self-regulation. The researcher thinks that to be a responsible journalist, the journalist must follow the media law and the codes of ethics or self-regulations. It means that to be a virtuous journalist, the journalist should have a legal and moral responsibility. The codes of ethics requires the journalist to tell the truth or the fact to the public, to write accurately, to avoid bias and so on. The codes of ethics serve only as guidelines for the journalist to work ethically. Nowadays the codes of ethics for the press have no effective punishment for those who violate the rules. This is the problem in journalism profession because the journalist sometimes writes, expresses something

carelessly or inaccurately; and make unethical judgements that affect the people's lives.

The Researcher Recommendations, the researcher has learned that there are many aspects of philosophical discussion about the responsibility of press. But as a limited work, the researcher would like to discuss about the freedom and responsibility of a journalist in terms of freewill and determinism according to Determinism (Hard Determinism), Libertarianism (Free-Will) and Compatibilism (Soft Determinism), and has analyzed the right of journalists in terms of the ethical theories of Mill's Utilitarianism and Kant's theory. After many years of researcher's involvement in media, it seems to the researcher that this thesis is stimulating in its presentation. It could be a thoughtful and philosophical work. The researcher has tried to analyze the justification of freedom in journalism and also has contributed the new concept of press "Moderate Democratic Press" for the journalism profession in order to make a balance and reduce harm in society. The researcher could say that this concept would be a new vision in journalism because under the social responsibility concept, a journalist would have more consciousness of social responsibility than before. To be a socially responsible journalist, he must follow certain obligation. "There must be fairness in reporting all sides of a controversy, honesty in advertising, accuracy in investigative journalism, balance in presenting background analysis, social awareness in exerting editorial leadership and so on... the journalist must exercise more self-regulation, the government must be involved with more control and individual must become more critical as a receiver" (Wood, 1983, p. 6). The researcher could not assert that the concept which promotes social responsibility of journalists would be complete and all journalists will be satisfied

with its concept. In other words, we could say that in theory, the social responsibility concept is a worthwhile and appropriate concept in a civil society or a moderate democratic system, but in practice, it might be unacceptable for those who prefer working in a liberal democratic system which promotes only freedom of journalists and they still want to enjoy their freedom of expression or enjoy their unlimited freedom of expression. However, the researcher thinks that the social responsibility in the moderate democratic system does exist in some countries of the world, the researcher also thinks that the press philosophy of the twenty-first century seems to be the social responsibility theory which is based on changes in the world of media, such as concentration of newspaper ownership and new thinking by communicators and philosophers. It seems to the researcher that the freedom of press is still controversial. Some newspapers act more responsibly in the Twenty-First century. The researcher's justification of freedom in journalism may need to be improved in some aspects and it would be appreciated if there are more research or further studies on this issue. There seem to be some basic responsibilities of the press that can be applied.

First, newspapers must lead in the search for truth. They should do more than disseminate information; they must seek to explain the meaning of information they provide and must seek to provide understanding and expand knowledge. They must remain as fair and impartial as possible in the presentation of the news, and correct distortions when and if they occur. Clearly, they must endeavor to provide information and perspective so that readers can make their own determinations about the truth. **Second**, newspapers in a democratic society (moderate democratic society) have a responsibility to help make

democracy work. This involves providing information not only for the common people but also for legislators and governmental officials and seeking out the truth about the government at all levels. Information is necessary for a free society. Newspapers must serve as a check or watchdog on those who have power and influence in the government. *Third*, newspapers have a responsibility to help individuals and communities adjust to change and improved themselves. Nothing remains the same and nothing is certain except change. The press can provide greater exposure for different ideas and groups in society. *Fourth*, newspapers have a responsibility to improve themselves. At all times they should follow the “codes of ethics for journalism” and be accurate, truthful, fair, decent, and sincere in their reporting. They should seek to improve themselves by conducting and encouraging their career; improving their staff, improving their journalistic ethics. *Finally*, newspapers have a responsibility to remain free, independent. Newspapers must seek to remain free and independent so they can carry out their many basic responsibility in the face of problems from government or from many factors of society. Newspapers need understanding and support of the public if they are to carry out their responsibility successfully. (Merrill, 1983, p. 340)

REFERENCES

- Aiken, D. Henry (1948). *Hume's Moral and Political Philosophy*. Newyork: Hafner.
- Appelbaum, David, & Sarah Verone Lawton. (1990). *Ethics And the Professions*.
New Jersey: Prentice Hall.
- Barcalow, Emmett. (1998). *Moral Philosophy Theories and Issues* (2nd edition).
California: Wadsworth.
- Baradat, P. Leon . (1997). *Political Ideologies: Their Origins and Impact* (6th edition).
New Jersey: Prentice-Hall.
- Beardsley, Elizabeth. (1985). "*Determinism and Moral Perspectives: Reason & Responsibility (Readings in some problems of philosophy)* (6th edition). Ed. by
Joel Feinberg. Wadsworth, California.
- Belsey, Andrew & Ruth F. Chadwick. (1994). *Ethical Issues in Journalism and the Media*. London: Routledge.
- Biagi, Shirley. (1988). *Media Impact: An Introduction to Mass Media*. California:
Wadsworth publishing
- Blackburn, Simon. (1996). *Oxford Dictionary of Philosophy*. Oxford: University Press.
- Cockburn, David. (1994). *Responsibility and Necessity*. Ed. by Anthony O'Hear.
Learnbridge Universtiy, New York.
- Coffey, Margaret. (1998). *Encyclopedia of Applied Ethics Vol.1,3*. Toronto:
Academic Press.
- Cornman, W. James ., & Keith Lehrer. (1974). *Philosophical Problems and Arguments: An Introduction* (2nd edition). California: Prentice-Hall.
- Craig, Edward.(Edit). (1998). *Routledge Encyclopedia of Philosophy Vol.3*. London:
Routledge.

- Crone, Tom. (1977). *Law and the Media: An Everyday Guide for Professionals*. Oxford: Focal.
- Day, A. Louis, (1997). *Ethics in Media Communication: Cases and Controversies* (2nd edition). Wadsworth.
- Dennis, E. Everette . & Robert W. Snyder. (1998). *Media Democracy*. London: Transaction Publishers.
- Edwards, Paul. (1967). *The Encyclopedia of Philosophy (Vol. 5)*. New York: Macmillan.
- Eilers, Franz-Josef, SVD. (1994). *Communicating in community: An Introduction to Social Community: An Introduction to Social Communication*. Manila: Logos.
- Flathman, E. Richard . (1973). *Concepts in Social & Political Philosophy*. New York: Macmillan Publishing.
- Flew, Antony. (1979). *A Dictionary of Philosophy*. London: Pan Books.
- Follesdal, Dagfinn. (1997). *"Sartre on Freedom": The Philosophy of Jean Paul Sartre*, Ed. by Paul Arthur Schilpp, Open Court, Illinois.
- Freezell, M. Randolph . (1989). *Faith, Freedom, And Value: Introductory Philosophical Dialogue*. San Francisco. Westview Press.
- Gene, Mater. *Photographers Cleared in Princess Diana's death*.
<http://www.freedomforum.org/international/1999/3introundup.asp>
- Hall, Harrison & Bowie E. Norman (1986). *The Tradition of Philosophy*. California: Wadsworth.
- Hebding, E. Daniel. (Edit). (1992). *Introduction to Sociology: A text with readings*. Newyork: McGraw-Hill..
- Heywood, Andrew. (1994). *Political Ideas and Concepts : An Introduction*. London: Macmillan.
- Holsinger, L Ralph . (191). *Media Law* (2nd Edition). New York: McGraw-Hill.

Hospers, John. (1967). *An Introduction to Philosophical Analysis* (2nd edition).

California: Prentice-Hall.

Hume. (1995). *Enquires Concerning Human Understanding and Concerning the Principle of Morals*. Index & Noted by L. A. Selby Bigge & P.H. Nidditch, Clarendon, Oxford.

Jacobsen, G.A., & M.H. Lipman. (1965). *Political Science*. New York: Barnes & Noble Books.

Jakubowicz, Karl. (1992). *From Party Propaganda to Corporate Speech? Polish Journalism in Search of a New Identity*. Journal of Communication: Summer (Vol. 3, 42).

Kahane, Howard. (1983). *Thinking About Basic Beliefs: An Introduction To Philosophy*. California: Wadsworth Publishing Company.

Kaplan, Abraham. (1977). *In Pursuit of Wisdom: the Scope of Philosophy*. London: Glencoe.

Keane, John. (1991). *The Media and Democracy*. Cambridge: Polity Press.

Keeble, Richard. (1994). *The Newspapers Handbook*. New York: Routledge.

Khan A. Rais, James D. McNiven & Stuart A. Mackown. (1977). *An Introduction to Political Science*. Illinois: Richard D. Irwin.

Kim, Jagwan & Sosa, Earnest. (Edit). (1995). *A Companion to Metaphysics*.

Oxford: Blackwell.

Lovell, P. Ronald . (1980). *The Newspaper: An Introduction to Newswriting + Reporting*. California: Wadsworth.

Lucas, John Randolph. (1993). *Responsibility*. Oxford: Clarendon.

- Merrill, C. John . & Barney, D. Ralph. (Edit). (1982). *Ethics and the Press Reading in Mass Media Morality*. New York: Hastings House Publisher.
- McInerney, K. Peter. (1992). *Introduction to Philosophy*. New York: Harper Colins.
- Miller, Seumas. (1998). *Encyclopedia of Applied Ethics, Vol. 4*. Academic Press.
- Minton J. Arthur & Shipka A. Thomas. (1990). *Philosophy Paradox and Discovery* (3rd edition). New York: McGraw-Hill publishing.
- Moser, K. Paul .(Edit) (1990). *Reality in Focus: Contemporary Readings on Metaphysics*. New York: Prentice Hall.
- Niblock, Sarah. (1996). *Inside Journalism*. London: Blueprint.
- Norman, Richard. (1987). *Free And Equal: A Philosophical Examination of Political Values*. Oxford: Oxford University Press.
- O'Hear, Anthony. (1991). *What Philosophy Is: An Introduction to Contemporary Philosophy*. England: Penguin Books.
- O' Neill, John. (1994). *Truth Telling as Constitutive of Journalism*. Ed. by Andrew Belsey and Ruth Chadwick.
- Picard, G. Robert, & Jeffrey H. Brody. (1997). *The Newspaper Publishing Industry*. Borton: Allyn & Bacon.
- Pojman , P. Louis (1998). *Philosophical Traditions: A Text with Readings*. California: Wadsworth.
- _____ (1998). *Ethical Theory: Classical and Contemporary Readings* (3rd edition). California: Wadworth Publishing Company.
- Princess Diana Dead after Car Crash: <http://www.cnn.com/world/9708/30/diana.dead/>
- Quinton, Anthony. (Edit). (1967). *Political Philosophy*. London: Oxford University.
- Ranny, Austin. (1990). *Governing: An Introduction to Political Science* (5th

Edition). New Jersey: Prentice-Hall.

Rodee Carlton Clymer, Totton James Anderson & Carl Quimby Christol. (1967).

Introduction to Political Science. New York: McGraw – Hill.

Rousseau. (1947). ***Rousseau: the Social contract: Masterworks of Government (Vol. 2)***. Ed. by Leonard Dalton Abbott, McGraw-Hill.

Sancton, Thomas & MacLeod, Scott. (1998). ***Death of a Princess: An Investigation***. London: Weiderfeld & Nicolson.

Schilpp, Arthur Paul. (Edit). (1997). ***The Philosophy of Jean-Paul Sartre***. Illinios: Court Publishing.

Skorupski, John. (1989). ***John Stuart Mill***. London: Routledge.

Schwarz, Ted. (1996). ***Free Speech and False Profits: Ethics in the Media***. Ohio: The Pilgrim Press.

Shawcross, William. (1991). ***Information Freedom and Censorship: Word Report 1991 (Article 19)***. London: Library Association.

Soltau, H. Roger. (1965). ***An Introduction to Politics***. London: Longman.

Solomon, C. Robert. (1985). ***Introducing Philosophy a Text with Readings (3rd Edition)***. Toronto: Harcourt Brace Jovanovich.

Sriwarakuel, Warayuth. (1998). ***The Responsibility as Necessary Condition for Society***. Ed. by Chinwantanant, Assumption University Press, Bangkok.

Warner, Daniel. (1991). ***An Ethics of Responsibility in International Relations***. London: Lynne Rienner Publisher.

Warburton, Nigel. (1992). ***Philosophy: The Basics*** (2nd edition). London: Routledge.

Weatherford, Roy. (1991). ***The Implications of Determinism***. New York: Routledge.

Wells, Alan. (Edit). (1979). ***Mass Media and Society*** (3rd Edition). California:

Mayfield Publishing Company.

Wood, N. Donald , & Leps A. Arvo. (1983). *Mass Media and The Individual*. San Francisco: West Publishing.

Zelizer, Barbic. (1992). *CNN,, the Gulf War and Journalistic Practice*. **Journal of Communication**: Winter (Vol. 1, 43).



APPENDICES

APPENDIX I

Society of Professional Journalists: Code of Ethics

The Society of Professional Journalists believes the duty of journalists is to serve the truth. We believe the agencies of mass communication are carriers of public discussion and information, acting on their Constitutional mandate and freedom to learn and report the facts. We believe in public enlightenment as the forerunner of justice, and in our Constitutional role to seek the truth as part of the public's right to know the truth. We believe those responsibilities carry obligations that require journalists to perform with intelligence, objectivity, accuracy, and fairness. To these ends, we declare acceptance of the standards of practice here set forth:

I. Responsibility

The public's right to know of events of public importance and interest is the overriding mission of the mass media. The purpose of distributing news and enlightened opinion is to serve the general welfare. Journalists who use their professional status as representatives of the public for selfish or other unworthy motives violate a high trust.

II. Freedom of the Press

Freedom of the press is to be guarded as an inalienable right of people in a free society. It carries with it the freedom and the responsibility to discuss, question, and challenge actions and utterances of our government and of our public and private institutions. Journalists uphold the right to speak unpopular opinions and the privilege to agree with the majority.

III. Ethics

Journalists must be free of obligation to any interest other than the public's right to know the truth.

1. Gifts, favors, free travel special treatment or privileges can compromise the integrity of journalists and their employers. Nothing of value should be accepted.
2. Secondary employment, political involvement, holding public office, and service in community organizations should be avoided if it compromises the integrity of journalists and their employers. Journalists and their employers should conduct

their personal lives in a manner that protects them from conflict of interest, real or apparent. Their responsibilities to the public are paramount. That is the nature of their profession.

3. So-called news communications from private sources should not be published or broadcast without substantiation of their claims to news value.
4. Journalists will seek news that serves the public interest, despite the obstacles. They will make constant efforts to assure that the public's business is conducted in public and that public records are open to public inspection.
5. Journalists acknowledge the newsman's ethic of protecting confidential sources of information.
6. Plagiarism is dishonest and unacceptable.

IV. Accuracy and Objectivity

Good faith with the public is the foundation of all worthy journalism.

1. Truth is our ultimate goal.
2. Objectivity in reporting the news is another goal that serves as the mark of an experienced professional. It is a standard of performance toward which we strive. We honor those who achieve it.
3. There is no excuse for inaccuracies or lack of thoroughness.
4. Newspaper headlines should be fully warranted by the contents of the articles they accompany. Photographs and telecasts should give an accurate picture of an event and not highlight an event out of context.
5. Sound practice makes clear distinction between news reports and expressions of opinion. News reports should be free of opinion or bias and represent all sides of an issue.
6. Partisanship in editorial comment that knowingly departs from the truth violates the spirit of American journalism.
7. Journalists recognize their responsibility for offering informed analysis, comment, and editorial opinion on public events and issues. They accept the obligation to present such material by individuals whose competence, experience and judgment qualify them for it.
8. Special articles or presentations devoted to advocacy or the writer's own conclusions and interpretations should be labeled as such.

V. Fair Play

Journalists at all times will show respect for the dignity, privacy, rights, and well-being of people encountered in the course of gathering and presenting news.

1. The news media should not communicate unofficial charges affecting reputation or moral character without giving the accused a chance to reply
2. The news media must guard against invading a person's right to privacy.
3. The media should not pander to morbid curiosity about details of vice and crime.
4. It is the duty of news media to make prompt and complete correction of their errors.
5. Journalists should be accountable to the public for their reports and the public should be encouraged to voice its grievances against the media. Open dialogue with our readers, viewers, and listeners should be fostered.

VI .Pledge

Adherence to this code is intended to preserve and strengthen the bond of mutual trust and respect between American journalists and the American people.

The Society shall-by programs of education and other means-encourage individual journalists to adhere to these tenets, and shall encourage journalistic publications and broadcasters to recognize their responsibility to frame codes of ethics in concert with their employees to serve as guidelines in furthering these goals.

APPENDIX II**American Society of Newspaper Editors: Statement of Principles**

Preamble

The First Amendment, protecting freedom of expression from abridgment by any law, guarantees to the people through their press a constitutional right, and thereby places on newspaper people a particular responsibility. Thus journalism demands of its practitioners not only industry and knowledge but also the pursuit of a standard of integrity proportionate to the journalist's singular obligation. To this end the American Society of Newspaper Editors sets forth this Statement of Principles as a standard encouraging the highest ethical and professional performance.

Article I- Responsibility

The primary purpose of gathering and distributing news and opinion is to serve the general welfare by informing the people and enabling them to make judgments on the issues of the time. Newspapermen and women who abuse the power of their professional role for selfish motives or unworthy purposes are faithless to that public trust. The American press was made free not just to inform or just to serve as a forum for debate but also to bring an independent scrutiny to bear on the forces of power in the society, including the conduct of official power at all levels of government.

Article II – Freedom of the Press

Freedom of the press belongs to the people. It must be defended against encroachment or assault from any quarter, public or private. Journalists must be constantly alert to see that the public's business is conducted in public. They must be vigilant against all who would exploit the press for selfish purposes.

Article III – Independence

Journalists must avoid impropriety and the appearance of impropriety as well as any conflict of interest or the appearance of conflict. They should neither accept anything nor pursue any activity that might compromise or seem to compromise their integrity.

Article IV – Truth and Accuracy

Good faith with the reader is the foundation of good journalism. Every effort must be made to assure that the news content is accurate, free from bias and in context, and that all sides are presented fairly. Editorials, analytical articles and commentary should be held to the same standards of accuracy with respect to facts as news reports. Significant errors of fact, as well as errors of omission, should be corrected promptly and prominently.

Article V – Impartiality

To be impartial does not require the press to be unquestioning or to refrain from editorial expression. Sound practice, however, demands a clear distinction for the reader between news reports and opinion. Articles that contain opinion or personal interpretation should be clearly identified.

Article VI – Fair Play

Journalists should respect the rights of people involved in the news, observe the common standards of decency and stand accountable to the public for the fairness and accuracy of their news reports.

Persons publicly accused should be given the earliest opportunity to respond.

Pledges of confidentiality to news sources must be honored at all costs, and therefore should not be given lightly. Unless there is clear and pressing need to maintain confidences, sources of information should be identified.

These principles are intended to preserve, protect and strengthen the bond of trust and respect between American journalists and the American people, a bond that is essential to sustain the grant of freedom entrusted to both by the nation's founders.

APPENDIX III

The NUJ (National Union of Journalistic) Code of Conduct

1. A journalist has a duty to maintain the highest professional and ethical standards.
2. A journalist shall at all times defend the principle of the freedom of the press and other media in relation to the collection of information and the expression of comment and criticism. He/she shall strive to eliminate distortion, news suppression and censorship.
3. A journalist shall strive to ensure that the information he/she disseminates is fair and accurate, avoid the expression of comment and conjecture as established fact and falsification by distortion, selection or misrepresentation.
4. A journalist shall rectify promptly any harmful inaccuracies, ensure that correction and apologies receive due prominence and afford the right of reply to persons criticized when the issue is of sufficient importance.
5. A journalist shall obtain information, photographs and illustrations only by straightforward means. The use of other means can be justified only by overriding considerations of the public interest. The use of other means can be justified only by overriding considerations of the public interest. The journalist is entitled to exercise a personal conscientious objection to the use of such means.
6. Subject to justification by overriding considerations of the public interest, a journalist shall do nothing which entails intrusion into private grief and distress.
7. A journalist shall protect confidential sources of information.
8. A journalist shall not accept bribes nor shall he/she allow other inducements to influence the performance of his/her professional duties.
9. A journalist shall not lend himself/herself to the distortion or suppression of the truth because of advertising or other considerations.
10. A journalist shall only mention a person's race, colour, creed, illegitimacy, marital status (or lack of it), gender or sexual orientation if this information is strictly relevant. A journalist shall neither originate nor process material which encourages discrimination on any of the above-mentioned grounds.
11. A journalist shall not take private advantage of information gained in the course of his/her duties before the information is public knowledge.

12. A journalist shall not by way of statement, voice or appearance endorse by advertisement any commercial product or service save for the promotion of his/her own work or of the medium by which he/she is employed.



APPENDIX IV**The PCC (Press Complaints Commission) Code of Practice**

1 Accuracy

- (i) Newspapers and periodicals should take care not to publish inaccurate, misleading or distorted material.
- (ii) Whenever it is recognized that a significant inaccuracy, misleading statement or distorted report has been published, it should be corrected promptly and with due prominence.
- (iii) An apology should be published whenever appropriate.
- (iv) A newspaper or periodical should always report fairly and accurately the outcome of an action for defamation to which it has been a party.

2 Opportunity to reply

A fair opportunity for reply to inaccuracies should be given to individuals or organizations when reasonably called for.

3 Comment, conjecture and fact

Newspapers, while free to be partisan, should distinguish clearly between comment, conjecture and fact.

4 Privacy

Intrusions and enquiries into an individual's private life without his or her consent are not generally acceptable and publication can only be justified when in the public interest. This would include:

- (i) Detecting or exposing crime or serious misdemeanor.
- (ii) Detecting or exposing seriously anti-social behavior.
- (iii) Protecting public health and safety.
- (iv) Preventing the public from being misled by some statement or action of that individual.

5 Hospitals

- (i) Journalists or photographers making enquiries at hospitals or similar institutions should identify themselves to a responsible official and obtain permission before entering non-public areas.

- (ii) The restrictions on intruding into privacy are particularly relevant to enquiries about individuals in hospital or similar institutions.

6 Misrepresentation

- (i) Journalists should not generally obtain or seek to obtain information or pictures through misrepresentation or subterfuge.
- (ii) Unless in the public interest, documents or photographs should be removed only with the express consent of the owner.
- (iii) Subterfuge can be justified in the public interest and only when material cannot be obtained by any other means. In all these clauses the public interest includes:
 - . Detecting or exposing crime or serious misdemeanor.
 - . Detecting or exposing anti-social conduct.
 - . Protecting public health and safety.
 - . Preventing the public being misled by some statement or action of an individual or an organization.

7 Harassment

- (i) Journalists should obtain neither information nor pictures through intimidation or harassment.
- (ii) Unless their enquiries are in the public interest, journalists should not photograph individuals on private property without their consent; should not persist in telephoning or questioning individuals after having been asked to desist; should not remain on their property after having been asked to leave and should not follow them.

The public interest would include:

- . Detecting or exposing crime or serious misdemeanor.
- . Detecting or exposing anti-social conduct.
- . Protecting public health and safety.
- . Preventing the public from being misled by some statement or action of an individual or an organization.

8 Payment for articles

- (i) Payments or offers of payment for stories, pictures or information should not be made to witnesses or potential witnesses in current criminal

proceedings or to people engaged in crime or to their associates except where the material concerned ought to be published in the public interest and the payment is necessary for this to be done.

- (ii) “Associates” include family, friends, neighbors and colleagues.
- (iii) Payments should not be made either directly or indirectly through agents.

9 Intrusions into grief or shock

In cases involving personal grief or shock, esquires should be carried out and approaches made with sympathy and discretion.

10 Innocent relatives and friends

The press should generally avoid identifying relatives or friends of persons convicted or accused of crime unless reference to them is necessary for the full, fair, and accurate reporting of crime or legal proceedings.

11 Interviewing or Photographing Children

- (i) Journalists should not normally interview or photograph children under the age of 16 on subjects involving the personal welfare of the child, in the absence or without the consent of a parent or other adult who is responsible for the children.
- (ii) Children should not be approached or photographed while at school without the permission of the school authorities.

12 Children in sex cases

The press should not, even where the law does not prohibit it, identify children under the age of 16 who are involved in cases concerning sexual offences, whether as victims or as witnesses or defendants.

13 Victims of Crime

The press should not identify victims of sexual assault or publish material likely to contribute to such identification unless, by law, they are free to do so.

14 Discrimination

- (i) The press should avoid prejudicial or pejorative reference to a person's race, colour, religion, sex or sexual orientation or to any physical or mental illness or handicap.
- (ii) It should avoid publishing details of a person's race, colour, religion, sex or sexual orientation unless these are directly relevant to the story.

15 Financial journalism

- (i) Even where the law does not prohibit it, journalists should not use for their own profit financial information they receive in advance of its general publication, nor should they pass such information to others.
- (ii) They should not write about shares or securities in whose performance they know that they or their close families have a significant financial interest, without disclosing the interest to the editor or financial editor.
- (iii) They should not buy or sell, either directly or through nominees or agents, shares or securities about which they have written recently or about which they intend to write in the near future.

16 Confidential sources

Journalists have a moral obligation to protect confidential sources of information.



AUTOBIOGRAPHY

Ms. Jariya Sornmayura was born in Bangkok. She completed her high school at Suksanaree School, Bangkok. She graduated with Bachelor's degree in Law (LLB). from Ramkhamhaeng University and received her MBA in Marketing Management from Dhurakijpundit University, Bangkok. She got a Certificate in International Business from City of London Polytechnic and also a Certificate in Business English from Central London College, London, UK. She worked for newspapers, magazines and advertising agency for 12 years. She began as an Advertising staff, Journalist, Advertising Manager, Marketing Manager, Editor and Managing Director respectively. She used to work as a Social Worker at Oxford Cyrenian Community, Oxford, UK. She is also a writer. Her famous book is "Christian Leaders in Thailand: Their Life as Witness to Christ, 1995". Her latest book is "How to Apply for a Job and Get It", 1998. She became a Full-Time Instructor and has been teaching "Introduction to Logic" at Assumption University since 1998.

